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THE UNIVERSITY OF ALBERTA

THE TEMPORARY ABSENCE PROGRAM IN ALBERTA

by

© ROBERT THOMAS ROBINSON

A THESIS

SUBMITTED TO THE FACULTY OF GRADUATE STUDIES AND RESEARCH

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FACULTY OF GRADUATE STUDIES AND RESEARCH

The undersigned certify that they have read, and recommend to the Faculty of Graduate Studies and Research, for acceptance, a thesis entitled "The Temporary Absence Program in Alberta" submitted by Robert Thomas Robinson in partial fulfillment of the requirements for the degree of Master of Arts.

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ABSTRACT

This thesis examines a program which is the vehicle for the gradual release of inmates to the community from correctional institutions in Alberta. The Temporary Absence Program in Alberta was conceived by provincial policy makers as an alternative to the federally administered program of day paroles which had been operational in Alberta since December, 1968.

On May 1, 1976 the Temporary Absence Program officially superseded the day parole program. Since that time increasing numbers of inmates have been placed in the community before completion of their court imposed sentences. This has occurred largely in the absence of empirical evidence that would justify such a policy.

In an attempt to provide an informational base of social scientific knowledge to which the Temporary Absence Program can be related, the author has completed a comprehensive review of all the available literature dealing with programs of gradual release in the United States and Canada. Using this information, the author proceeds to critically examine the Temporary Absence Program in Alberta in terms of its rationales, policies and practices. On the basis of this examination, concrete policy recommendations are made which hopefully will contribute to the greater success of the program.

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CHAPTER I

INTRODUCTION

On May 1, 1976 the Alberta Solicitor General's Department officially implemented a temporary absence program designed to replace the federally administered program of day paroles[1] which had been operational in Alberta since December, 1968. Prior to 1976 temporary absence had primarily been granted to selected inmates for periods of up to fifteen days for medical, humanitarian and rehabilitative reasons. The authority to allow inmates to be temporarily absent from provincial institutions was granted in 1969 in an amendment to the Prison and Reformatories Act 1952. By deciding to issue "back to back" temporary absences, however, the Solicitor General's Department created a device by which inmates could engage in community activities for periods longer than fifteen days, i.e. under this revised system, temporary absences can be renewed every fifteen days until expiry of sentence if necessary. These "back to back" temporary absences had actually been granted in increasing numbers since the fall of 1975 with the objective of eliminating, by May 1, 1976, the use of day parole in Alberta.

The rationale underlying the move from day parole to temporary absence involved, in part, a desire for increased administrative

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[1] A special form of parole granted by the National Parole Board in Ottawa, for the purpose of engaging in approved community activities on a daily basis.

efficiency and provincial autonomy. Provincial correctional authorities felt that they possessed sufficient expertise to release and supervise inmates in the community, without the approval of the National Parole Board in Ottawa and that such releases could be expedited by processing solely at the local level. Furthermore, under the day parole system, many inmates serving relatively short sentences for violations of provincial statutes were not included in federal legislation governing parole and were as a result ineligible for day parole. Also, those inmates who were eligible for day parole under the terms of the Parole Act (1958), were generally not granted day parole until they had served one third of their total sentences.

At first glance, therefore, it would appear that the temporary absence program is merely a form of provincial parole, not dissimilar to the federal day parole program that preceded it. To some small extent this is certainly true and at some time in the future, Alberta will, in all likelihood, create a Provincial Parole Board to administer release in the province. Temporary absence, in its present form, can perhaps best be seen as an intermediate stage between federal and provincial parole systems. But whatever name we attach to provincial parole in the future, be it temporary absence or something else, it will be vastly different than the federal program, just as temporary absence already is. This is due to the fact that the move to temporary absence reflected not only a desire for autonomy and increased administrative efficiency but also a growing commitment, at the provincial level, to the concept of community corrections. Not only does the temporary absence program encompass a far wider range of offenders, it does not officially or unofficially provide for any minimum time period that would normally be

served before eligibility for release and it also provides for a much greater range of community activities than did the federal system. Furthermore, the working philosophy of Alberta's temporary absence program is less conservative than that of day parole, seeking as it does, to increase the number of serving inmates placed in the community. Provincial officials believe that corrections in the community provide a superior rehabilitative and economic alternative, and is more humane than incarceration.

Our concern in this study, however, is not with the form that an official provincial parole program may take in the future, but with the present form of the temporary absence program in Alberta. To understand the problems and limitations posed by the temporary absence program, we must first look to the federal day parole system that preceded it, for temporary absence is essentially a modification of that system. It will be the thesis of this study that many problematic issues concerning both the theory and practice of day parole have been left unresolved and that these issues have been compounded and added to with the advent of the temporary absence program.

In order to clarify this position, day parole will be equated with work release for, in fact, the day parole program in Alberta was predominantly a work release program. While day paroles were occasionally issued for reasons other than employment, the percentage of the total was never very significant and certainly nothing in comparison to the number of temporary absences now being issued for purposes other than employment.

In the case of temporary absence, however, the equation is not as simple. Temporary absence has much more of a community corrections

orientation and cannot be explained solely in terms of work release. It can be distinguished from work release by both its terminology and changed relationship to the community. Fox (1971) has noted the beginnings of this distinction:

> In recent years a tendency has developed to describe temporary release plans under the umbrella of 'community work for prisoners or community based correctional programs' (p. 47).

Later he adds:

> As a deliberate exercise of policy there is an increase in pressure on the community adjacent to the prison to assume a larger share of the responsibility for providing rehabilitative opportunities for prisoners. At the same time the intention, apparently, is to carry out the concept of temporary absence beyond mere work release, so as to include release for educational purposes, vocational training, family visits, and community social activities (p. 48).

It now becomes clear that to understand any possible problems posed by the temporary absence program we must evaluate both the problematic concerns associated with more traditional work release programs as well as those associated with the newer temporary release plans that fall under the general rubric of community corrections.

It is hoped, therefore, that this thesis will provide some measure of the problems posed by the newly implemented temporary absence program. On the basis of our analysis, we will proceed to make some concrete suggestions regarding future policy which, if implemented, would hopefully contribute to the greater success of the program.

CHAPTER II

REVIEW OF THE LITERATURE

Although there may be historical antecedents, true work release as we know it today began in Wisconsin with the passing of the Huber Law in 1913. Under this system and others that followed it:

> ...selected prisoners are permitted to continue in their regular jobs in the community while spending daily after work hours and unemployed weekends in confinement. If the prisoner approved for work release has no civilian job, the authorities endeavor to find one for him. Earnings are collected by the authorities. After deductions for his board and travel to and from work, the prisoner is given an allowance for his immediate personal needs. As directed by the court, funds are provided through a public welfare agency for support of his dependents. Any balance is paid the prisoner on this discharge from confinement (Johnson, 1968:690).

Grupp (1963) provided what was perhaps the first analysis of work release programs in the United States. He noted that although one state, Wisconsin, had passed work release legislation in the form of the Huber Law, as early as 1913, the remainder of the country was slow to follow. Not until the mid 1950's did more than one other state, West Virginia, inaugurate work release programs.

By 1963, Grupp found a total of seventeen states had developed some form of work release program. Of these, only Carolina and Maryland allowed felons to participate; the remaining states generally restricted participation to misdemeanants. Grupp called for an expansion of work release programs, where such expansion would not deprive the law-abiding citizenry of employment. Although Grupp was clearly of the opinion that a wider range of inmates could benefit from exposure to work release,

he failed to offer any concrete suggestions concerning selection criteria. He simply stated that selection must be handled carefully, that candidates for work release programs should not pose any problems in regard to security, and that jail overcrowding was never to become a factor in selection for work release.

Grupp stated that the major objectives of work release are rehabilitative and economic. Like many other students of work release, however, he assumed the rehabilitative and economic potential of work release programs in the absence of empirical evidence.

Zalba (1967) has described work release as a "two-pronged effort." More specifically, work release provides a means of rehabilitating selected offenders, while at the same time providing for the protection of society through a firm, but not total form of control. Many offenders require some form of punishment and control beyond probation, but not to the extent of complete incarceration. Work release, therefore, offers a sort of "middle ground" for some types of offenders. Also, rehabilitation is not fostered by forcing men to languish idly in jail deprived of the opportunity to support themselves, their families, and to contribute to society. Work release allows inmates to both learn and practice the major socio-economic roles recognized in our society. As a result they do not suffer the "psychological losses" associated with failure to fulfill the breadwinner, masculine role.

Zalba notes an "unexpected outcome" of some work release programs, i.e. judges in some counties studied, impressed with the conduct and performance of work releasees, became convinced that a much greater use could safely be made of probation. As a result the work release program in one of these counties became "smaller and smaller - paradoxically a

sign of its success" (p. 512). Yet the implications of this "unexpected outcome" and Zalba's judgement of "success" are somewhat problematic, for he initially stated that work release programs were designed for those offenders who needed some measure of control greater than probation, but less than total confinement. It now appears that we have been suffering under a delusion, that many of those offenders thought to require a greater measure of control than that afforded by probationary supervision, in fact, do not. Zalba is not, however, clear on this point. He merely implies, in vague fashion, a punitive over-reaction in the past. He may also be assuming a greater rehabilitative capacity for probation than actually exists. If probation fails to prove successful with a vast majority of offenders, it is unlikely that prison populations will, in the long run decline. If populations do not decline then work release programs will, in all probability, continue to provide another correctional alternative to total confinement for a substantial number of offenders.

Root (1973) makes note of the contradiction between the stated goals of work release programs and institutional policies which, he states, tend to subvert those goals. Since rehabilitation is the most commonly stated goal of such programs, it would be expected that rehabilitative criteria would be used to determine eligibility for work release consideration. Instead, eligibility is determined by "institutional concerns." Inmates granted work release, then, are those whom correctional authorities deem "safe" to release on a temporary basis. They are those inmates whose release is not likely to evoke an adverse public reaction. As a result, drug, sexual, and violent offenders are most often excluded from participation in work release programs despite the

fact that they could possibly benefit from work release experience. Further exclusions are based upon escape potential and emotional imbalance. Work releasees, therefore, are a negatively, rather than positively defined group.

Furthermore, Root notes that most states require inmates to serve a minimum portion of their total sentences before becoming eligible for work release. This "inflexibility" is thought to limit the effectiveness of work release programs.

Finally, Root calls for work releasees to be separately housed and specially treated, lest they be free men by day and convicts by night, a condition which undermines the rehabilitate potential of any release program.

Root concludes that correctional authorities must attempt to educate the public towards a greater acceptance of work release, in order that the contradictions between stated goals and actual policies can be resolved, and elibility extended to more classes of offenders.

While it is easy to accept Root's proposal for separate housing of work releasees, his other proposals are more problematic. Deterrence may be best served by the requirement that inmates serve a minimum period before eligibility. Also, while the criteria governing eligibility should perhaps be positively defined, this measure in itself may not be sufficient to justify the release into the community of certain offenders. We might, for example, agree that sexual offenders could benefit from the opportunity to participate in a work release program, but still be reluctant to risk the continuing existence of the program by granting them work release status. Educating the public may help in this regard, but despite the best informational programs, there may still be a limit

to what the community will accept.

Grupp (1970) provides a thoughtful consideration of work furlough in relation to punishment theory. Grupp views our criminal justice system as based on a philosophy of punishment. The sooner we accept this fact, the sooner correctional programs can be made more rational. Given this orientation, Grupp reviews the major themes of punishment theory (retribution, deterrence, and rehabilitation) and discusses the underlying objectives of each.

Grupp argues from the point of view of the integrative theory of punishment which emphasizes the need for a balanced system of retribution, deterrence and rehabilitation. According to this view, if a criminal justice system has any hope of functioning effectively, then one goal must not be sacrificed to attain another. Any one goal has the possibility of attainment only when the three are accorded equal consideration. For Grupp, all three goals are provided for within the concept of work release. This makes work release one of the soundest correctional programs presently available and one that should, therefore, see greater use.

While Grupp's arguments may appear convincing at the theoretical level, the reality of the existing correctional system argues against the possibility of such a harmonious relationship between goals. Incarceration, it may be argued, is, in the first place, so harsh a penalty for a majority of offenders that no program of rehabilitation or reintegration can make up for the damage done as a result of it.

Johnson (1970) discusses the goals traditionally set for work release programs. These goals include: alternative to total confinement, reshaping public conceptions of the prisoner, reducing the

financial burden on the taxpayer, final phase of vocational training in institution, period of transition from prison to community, reformation of inmate attitudes and behavior and lending new flexibility to court-prison interrelationships. In Johnson's view these multiple goals are in conflict and any attempt to achieve all, or a majority of them, simultaneously, is doomed to failure. While Johnson is less than clear as to why this is the case, he does underscore the need for well defined goals and objectives at the inception of a work release program.

Ayer (1970) provides a review of problems typically faced by work release administrators. They include: community relations, escapes, selection, the use of inmate earnings for maintenance, housing and transportation. With the exception of community relations and escapes, Ayer does little more than outline relatively minor problems of an administrative nature. On the subject of community relations he points out that problems can be avoided if the community is adequately prepared for a work release program. He fails, however, to specify what this would involve. Escapes can be minimized if counselling is made available during non-working hours, and if institutional staff remove those inmates from the program who exhibit signs commonly associated with imminent escape attempts, i.e. depression, extreme rowdiness, and isolation.

Waldo, Chiricos, and Dobrin (1973) critically review empirical studies dealing with the economic and rehabilitative efficacy of work release programs compared with traditional forms of incarceration. Studies reviewed include: Cooper (1967), who concluded that work release was more economically advantageous than incarceration; the California Department of Corrections (1968), Newman and Bialen (1968), and Rudoff et al. (1971), all of which found recidivism to be lower in

groups of inmates who had participated in work release programs as opposed to those who had not. All of these studies, however, were found to lack truly comparable control and experimental groups, making it difficult to attribute any differences in outcome to participation in work release programs.

Waldo et al. concluded that empirical evidence concerning the desirability of increasing inmate contacts with the community does not in fact exist. They attempted to provide more valid evidence for the effects of increased community contact by measuring attitudinal changes. Inmates were randomly assigned to work release and non-work release groups from a pool of inmates all deemed to be eligible for work release. Five dependent variable categories (perceptions of legitimate opportunity, achievement motivation, legal self concept, self esteem and focal concerns) were defined and measured over a six-month period. Twenty inmate characteristics such as age, race, marital status, and sentence length were controlled for. The study found that at the conclusion of prison sentence work release participants did not have significantly better attitudes than the control group of non-participants. In fact, there were no significant differences in the dependent variable categories for the two groups, with the exception of self esteem, which was found to be significantly lower for work releasees. Not only was the self esteem of work releasees lower than the controls upon release, it was significantly lower than at the outset of the study.

Waldo et al. hypothesize that the reduction in self esteem for work releasees results from their exposure to both hostility and distrust in the community. Also, the half free status of work releasees leads them to make unfavorable comparisons of themselves in relation to people in

the outside world who have no restraints placed upon their liberty. The criminal status of work releasees is, therefore, underscored.

Work release, the authors conclude, in itself is not responsible for the apparent decline in self esteem or the failure to improve attitudes generally; the blame must be put on an intolerant community. They suggest that inmates selected for participation in work release programs should be taught how to cope more effectively with a hostile community. The authors fail, however, to specify measures by which more effective coping responses could be instilled. Also, it is somewhat surprising, in light of their conclusions, that information campaigns that would more effectively "sell" work release to the public are not advocated.

Rudoff, Esselstyn, and Kirkham (1971) attempted to evaluate the effectiveness of work furlough in Santa Clara County, California. Data analysis of furlough and non-furlough inmates failed to show significant differences in recidivism rates for the two groups. Rudoff et al. do, however, make the claim that the work furlough group was able to stay "on the street," following release, twice as long as the nonfurlough group.

Whatever the results of this study, they must remain in doubt due to the lack of comparability between the furlough and non-furlough groups. Rather than a random sample of inmates matched on relevant control variables, the authors simply compared inmates who had applied for, and been granted work furlough with those who had not applied, had applied but been denied, or whose sentences were deemed too short to benefit from the program.

While the study is methodologically weak, making the empirical conclusions of dubious value, Rudoff does in the course of his discussion

state some valid concerns. One of these is the possibility that criminality could actually be perpetuated if work furlough does not strive to provide more than work for work's sake. In other words, little may be accomplished if inmates, lacking the kinds of employment skills necessary for long range adjustment, are simply pushed into employment situations they have found unrewarding and frustrating in the past.

Stowell (1974) evaluated the effects of work and study release on inmate participants in Connecticut. He compared a random sample of participating inmates with a random sample of non-participating inmates. Stowell's follow up study failed to establish significant statistical differences between the post release behavior, in terms of recidivism rates, for the two groups. It was found, however, that inmates lacking in employment skills or those who were unemployed before incarceration, appeared to benefit from the program. They were free from arrest for longer periods than were other inmates.

Jeffrey and Woolpert (1974) attempted to provide empirical evidence for the assumption that work release is a more effective means of reducing recidivism and the concomitant social cost of crime, than is traditional incarceration. Their consideration of the many previous efforts in this regard led them to conclude that control and experimental groups had not been adequately matched in earlier studies, thereby rendering the results inconclusive. Their study, conducted in San Mateo County, California, purports to provide a more rigorous methodology. The study found "conclusive" evidence for reduced recidivism as a result of participation in a work release program. On this basis, they state that work release represents a better method for reducing the cost of crime than does traditional incarceration. It would appear, however,

that Jeffrey and Woolpert's methodology is not as rigorous as they would have us believe, and as a result, their conclusions must also remain somewhat in doubt.

More specifically, the experimental group consisted of all inmates granted work furloughs during the period from January to April, 1967. The control group was selected from court records for 1965. The groups were matched on demographic variables, criminal records, current offence and disposition. Jeffrey and Woolpert assumed, on the basis of this matching, that a majority of the control group would have been eligible for work furlough had the program existed in 1965. This may well assume too much. There may have been variables unaccounted for which were significant in determining eligibility. One example is inmate conduct ratings, which must be favorable if work furlough is to be granted.

Furthermore, in comparing the recidivism rates for the two groups, Jeffrey and Woolpert made the risky assumption that any possible "uncontrolled factors," due to the two-year difference between groups, would be unlikely to bias the results because of their close matching of the two groups on demographic variables and the fact that "no a priori reason could be found for predicting differential effects on the basis of year alone" (p. 408). The assumptions on which Jeffrey and Woolpert's study is based, therefore, make it difficult to accept the validity of their findings.

Leclair and Miller (1973) evaluated the Concord Day Work program, operated from a "reintegration residence," located near the Massachusetts Correctional Institution. They sought to determine whether the program was more or less costly than traditional incarceration and what effect it had on rates of recidivism. Three groups of inmates were studied.

The groups included: an experimental group consisting of all inmates who had participated in the work release program from its inception in August, 1968 to the study cut off date of December, 1970; a control group obtained by the use of base expectancy data for inmates released during 1966 (those inmates who would have been ineligible by law for entry into day work were eliminated from the sample); and a "secondary control group" of inmates whose applications for day work, between August 1968 and December 1970, had been rejected. "The secondary control group was included as a means of balancing any possible distortion in using 1966 releasee data as the non-Day Work control sample" (p. 5). These three groups were followed up for a period of twelve months after release.

It was found that participation in the day work program did not produce significantly different rates of recidivism for the experimental as compared to the control groups. It was found, however, that there was a "negative differential impact" for some categories of inmates allowed to participate in the day work program. More specifically:

> ...inmates with either serious disciplinary records (some good conduct days withheld prior to entry into day work) or inmates who were young with long records (25 years or younger at time of the then present incarceration with 13 or more prior arrests) were found to have been hurt by their participation in the Day Work program (p. 28).

In other words, for these types of offenders, the chances of reincarceration were found to be significantly higher as a result of program participation.

This was also found to be true for inmates spending relatively long periods of time in the program, i.e. over seventeen weeks, who upon release were in possession of amounts of money in excess of $400.00.

On the positive side, married men, who had previously been employed for more than one year at the same job, appeared to benefit the most

from the program in terms of reduced recidivism. However, this relationship was not statistically significant.

While the program was found to be less costly than traditional incarceration, the analysis of costs involved only the governmental point of view (Nelson, 1975) and as a result leaves many questions unanswered, i.e. the analysis failed to consider either the individual or societal point of view.[1]

Olsen (1960) was perhaps the first investigator to critically address the economic questions raised by work release. He studied work release in three California counties that had implemented work release programs prior to 1960, i.e. Santa Clara, Marin and Stanislaus. Olsen concluded that while work release may not be any more expensive than traditional incarceration, it was less attractive fiscally than some of its more ardent proponents claimed. Olsen discussed both direct and indirect costs accruing to such programs, thereby providing a guideline for more complete cost benefit analysis. The most significant factor determining the ultimate success of work release is selection. Inmates should be carefully selected for work release through a series of interviews and tests. While this may contribute to the immediate cost of the program, it will be the best insurance of program effectiveness and long term savings. Olsen's analysis is, however, quite general and supportive empirical evidence is not presented.

Adams and Dellinger (1969) completed a preliminary assessment of the District of Columbia's work release program. They reviewed the

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[1]Nelson's "Cost-Benefit Analysis and Alternatives to Incarceration" is reviewed in the section dealing with community correctional programs. See pp. 31-32.

cases of both felons and misdemeanants who had participated in the program, from its inauguration in April, 1966 through July, 1967. They found "no clear cut evidence" of program success, either in terms of being cost effective or producing lower rates of recidivism.

McArthur, Cantor, and Glendenning (1970), following in the path of Adams and Dellinger (1969), attempted a sophisticated cost benefit analysis of the District of Columbia work release program for the years 1966 to 1969. A total of 1000 inmates, both felons and misdemeanants, had participated in the program during the thirty-nine month period studied. Felony offenders averaged three months of program participation, misdemeanants six weeks. While the study noted apparent savings resulting from the program, due to lower maintenance costs and work release earnings, the authors were cautious in their interpretation of these findings. How, they ask, would a cost benefit ratio for work releasees be accurately compared with one for traditionally confined inmates? It is possible they state, that traditional confinement, when analyzed from a cost benefit perspective, "has some economic value to society" (p. 1042); it is also possible that it does not. The real conclusion of this study is that the limitations imposed to date on cost benefit analysis by the lack of base line data concerning indirect costs, such as welfare and depredation costs, make it difficult to form any conclusions concerning the economic efficacy of correctional programs such as work release. The authors call for this base line data to be developed so that more sophisticated cost benefit analysis can be undertaken, which would ultimately allow correctional planning and management to "proceed from a sounder informational and conceptual base" (p. 1042).

Johnson (1967) summarized many of the problematic concerns

associated with work release programs. These concerns continue to have relevance today.

> The use of work release depends largely upon the demand-supply relationship in the local labor market and the receptivity of employers, co-workers, and, in some cases, clients of the particular enterprise. The success of a work-release program rests upon the variety and level of skills available among prisoners, the quality of vocational training provided by the prison, the degree of correlation between the job skills taught and the kinds of skills in demand in the free community, the prisoners attitudes towards work and discipline, and their receptivity to the idea of supporting themselves and their dependents while a prisoner (pp. 525-528).

Turning now from programs specifically designated as work release or work furlough, we note the recent trend in corrections to describe a multitude of correctional programs under the general rubric of community-based corrections. The Report of the Task Force on Corrections (1973) has defined community-based corrections in the following manner:

> ...the term 'community-based corrections' includes all correctional activities that take place in the community. The community must be an alternative to confinement of an offender at any point in the correctional process (p. 222).

They add:

> Community-based correctional programs embrace any activity in the community directly addressed to the offender and aimed at helping him to become a law abiding citizen. Such a program may be under official or private auspices. It may be administered by a correctional agency directly or by a non correctional service. It may be provided on direct referral from a correctional agency or on referral from another element of the criminal justice system (police or courts). It may call for changing the offender through some combination of services, for controlling him by surveillance, or for reintegrating him into the community by placing him in a social situation in which he can satisfy his requirements without law violation. A community-based program may embrace any one or any combination of these processes (p. 223).

It is not our intention, however, to review the totality of literature appropriate to such an all encompassing definition. Rather, our concern, as stated in Chapter I, is with those community correctional

programs involving temporary, conditional release from correctional institutions. Excluded from this review, therefore, is any direct consideration of probation, pre-trial diversion programs or diversion programs initiated at the level of the court. The literature reviewed, then, deals primarily with those programs of graduated release which have recently been developed to facilitate the reintegration of sentenced offenders back into society.

While some more general material dealing with a broader range of correctional problems is also reviewed, such material is included only where its content has relevance to programs of graduated release. This section of the literature review begins with a consideration of such general literature.

Empey (1967) witnessing the emergence of community corrections on a broad scale, provided a thoughtful critique of this revolutionary approach. In Empey's view the new correctional policies, like those that preceded them, are based not on a solid empirical foundation but on a "strategy of activity." Policy makers, disillusioned with both punitive and rehabilitative (treatment) approaches carried out within prison walls, were compelled to "do something" and embarked upon a correctional course emphasizing alternatives to incarceration. While Empey is not opposed to such a course in principle, he points out that in the long run the strategy involved is inefficient because "it does not begin first with an attempt to define the parameters of whatever problem is under consideration and then of organizing the logical possibilities for attacking it" (p. 79). If alternatives to incarceration are to become truly viable, then what is required is a "strategy of search," a commitment to research and the development of an empirical base, so that policy

can be made more rationally. Changes in philosophical orientation are in themselves insufficient to produce a workable, effective correctional system. We must be able to determine not only who should be kept in community programs, but also who should be kept out of them.

Amos (1973) while in basic agreement with the concept of community correction as an alternative to incarceration, warns that community corrections is not a panacea and that we must realistically address ourselves to the question of its limitations. Offenders may be as unmotivated to participate meaningfully in community programs as they have traditionally been in programs conducted within institutional settings. Also, the community is the environment where criminal behavior developed in the first place. The community's negative influences will continue to act upon participants in community programs.

Carlson (1975) made the point that in the enthusiasm for community corrections, correctional planners may not only have misled themselves, but the public as well, concerning the rehabilitative potential of community programs. Also, community corrections proponents tend to minimize the importance of retribution and deterrence in a system of criminal justice administration. While community alternatives may be appropriate for certain offenders, Carlson stated that many others may fail to respond to such an approach. This fact must be recognized and taken into consideration before specific programs are implemented.

Nelson (1967) expressed the fear that community treatment "may be seized upon as a panacea" for all correctional ills (p. 87). He stressed the need for a "strategy of search" and the necessity of actively involving citizens and community leaders in community based programs. A major problem that could arise, as more empirical evidence becomes

available, involves the reluctance of "program operators" to accept and act upon research findings, especially if the findings prove to be negative.

Connolly (1975) in a response to diversionists who would keep non-dangerous offenders out of prison, maintains that the possibility of a prison sentence is still a necessity. He argues that non-dangerous offenders diverted to community programs cannot be maintained there indefinitely if they continue to offend. The public would not be afforded the protection the law guarantees if such offenders did not eventually face a jail sentence and would not accept such a policy for very long.

Mandell (1971) points out that corrections has become estranged from other social agencies and this estrangement has contributed to the failure of rehabilitative efforts. Corrections traditionally has been isolationist, while at the same time the social stigma attached to criminals and jails has led other social agencies (health, education and welfare) to minimize contact with correctional agencies. If modern corrections is to succeed in its rehabilitative task, it must become a community agency by establishing positive links with other social agencies and citizen groups. Mandell suggests that correctional agencies attract more professional staff who have the ability to interact with other social service professionals on an equal basis, while at the same time striving to win the respect of the citizenry.

O'Leary (1969) stated that the goal of modern corrections must be the reintegration of the offender into society. The mistake thus far in correctional history has been the rejection and isolation of offenders. Reintegration can be facilitated by the involvement of the citizenry in

the correctional process. In fact, community corrections can only become a reality if this involvement is fostered and developed. O'Leary identifies four key citizen roles: correctional volunteers who will work directly with offenders; social persuaders who hold positions of power and have the ability to win support for community programs; gatekeepers of opportunities who will provide employment, educational and other opportunities to offenders; and the intimate peers and significant other persons with whom the offender identifies and draws strength. O'Leary exhorts correctional authorities to cultivate close relationships with persons in all four categories and to actively involve them in community programs.

A 1972 report published by the Chamber of Commerce of the United States called upon correctional administrators and planners to marshall citizen power in order to modernize corrections. Essentially, the report is an enthusiastic endorsement of the community corrections approach, which it maintains is both cheaper and more humane than traditional incarceration. Convincing empirical evidence is, however, not presented to substantiate these claims. The report argues that community programs can only be successful if a cross section of informed citizens are allowed to participate. Businessmen should take the lead by hiring offenders and ex-offenders and, together with other citizen groups, undertake to promote a more general interest in, and support for, community programs.

Another report with closely related conclusions was that of the Task Force on Corrections (1973). This report stated that incarceration has been far too widely used in the past and that the hope for corrections in the future is with community based programs. The task of

implementing effective community programs is not, however, a simple one. Policy makers must organize, plan and research community programs thoroughly if they are to be effective. Also, "massive public information campaigns" must be carried out and a cross section of active citizen volunteers recruited (p. 77).

Furthermore, the report stated, the community must be brought to the realization that it bears a good deal of responsibility for the crime problem and must assume its responsibility in the correctional process by becoming involved. Thus, in the new correctional order, citizens would participate in both policy making and providing direct service to offenders.

The problem with these two reports is that despite whatever measures are taken to ensure community cooperation and support, such cooperation and support still may not be possible to achieve. In fact, the citizenry may become increasingly hostile to community based corrections as they become more aware of the extent to which community programs have already been allowed to proliferate.

Turning now from the more general community corrections literature, a number of evaluative studies involving a variety of graduated release programs are reviewed.

Lamb (1974) completed an interim report on Ellsworth House, a community alternative to incarceration in San Mateo, California. The house was designed to accommodate twenty male offenders, eighteen years of age or older, who had received jail sentences in excess of four months. Ellsworth House was described in the report as a place where offenders live in a therapeutic environment and are afforded the opportunity to work, study or train in the local community. The interim

report found that while Ellsworth House releasees had much higher rates of employment than regular jail releasees (offenders in this study were randomly assigned either to jail or to the Ellsworth program) they also had slightly higher rates of recidivism. In 1975 Lamb concluded the three year study, but was no longer able to report any significant differences in recidivism rates. He stated that Ellsworth House demonstrated the feasibility of community alternatives to incarceration. Lamb's work did not, however, contain any discussion of costs or possible changes in crime rates.

Kirby (1970) completed a study on Crofton House, an experimental project in the San Diego area designed to conditionally release inmates from jail to work or study in a halfway house setting. The results of Kirby's study showed no significant differences between the success-failure rates of men in the program and comparable control groups of inmates in work camps and jails.

Parker, MacDonald, Freimund, Bradley and Groskin (1974) reported on the ill-fated Community Integration Project in Pennsylvania. This project took selected offenders out of Pennsylvania State Correctional Institutions and placed them in controlled community settings. The objective of the program was to provide greater rehabilitative opportunities in the community for selected inmates by allowing them to participate in normal community activities, such as work and recreation. The program was forced out of existence due to a combination of negative factors which included: inadequate initial planning, problems in implementation, too few eligible offenders available as clients, judicial restrictions upon program intake, and citizen and community rejection of the program. The National Council on Crime and Delinquency offered

suggestions on how these negative factors might be avoided in future programs. Essentially their thesis was that better planning and organization would ensure future successes. What they may have failed to see is that despite the sophistication of program planners, some communities may simply be too hostile to ever accept community programs beyond probation and parole.

Fox (1971) reviewed the Ontario temporary absence programs and made the following observations. During the first year of operation (he did not study the program past that point)1969-1970, almost fifty percent of the applications for temporary absence were denied. This conservative policy reflected concern for public opinion and was directed towards gaining public support gradually. Although selection criteria were not well defined, policy guidelines worked to exclude violent, drug, alcoholic and sexual offenders, as well as those with records involving escape. As a result, only 2% of the total inmate population were active in the program at any given time. Fox did not, therefore, consider it realistic to attempt an empirical evaluation of the program at that time. Only when the eligibility base was expanded and more experience gained with a wider variety of offenders would it make any sense to conduct empirical studies concerning rehabilitative efficacy. Fox viewed the existing research efforts of Ontario Correctional authorities as little more than attempts to justify the continuing existence of the program.

Fox concluded his discussion by questioning the very need for release programs such as temporary absence. Surely offenders who qualify for temporary absence need not have been incarcerated in the first place. Why not simply divert them at an earlier stage? The problem with this argument is that many candidates for temporary absence may well have

been diverted via probation in the past, but subsequent offenses compelled the courts to take stronger action.

Crispino (1974) conducted an evaluative study for the Ontario Department of Correctional Services, dealing with the Ontario Temporary Absence Program. Crispino sought to discover if significant financial, social, employment and recidivism benefits resulted from participation in the program. Unfortunately, the methodology employed in this study does not meet even the least rigorous scientific standards, thereby rendering the results and conclusions of most dubious value. Specifically, Crispino studied inmates who had been, or were participants in the program. He followed up these inmates 7.5 to 8.5 months after release. No control group was included in the study. Also, those inmates "selected" for the study, volunteered. More specifically, Crispino secured permission from those inmates interested in his study to contact them following their release from prison in order to evaluate their performance. Not too surprisingly, of the fifty-four inmates involved in the study, all were doing fairly well upon follow up investigation. Furthermore, Crispino was able to report a 0% recidivism rate for the inmates he had studied. While such results may have been enthusiastically accepted by program administrators, they do not warrant serious consideration within the scientific community.

Doleschal (1969) completed a comprehensive review of half-way houses, work and pre-release programs in the United States. He found a contradiction to exist between the benefits, in terms of lower recidivism rates and costs, claimed by the administrators of such programs, and the existing empirical evidence. In fact, as the methodology employed in various studies becomes more sophisticated and rigorous, the findings

become more negative or ambivalent. Furthermore, there is a tendency to get "bogged down" with traditional pre-release programs involving education and vocational training, despite the fact that such programs have little impact on post release behavior; halfway houses often show well developed subcultures not unlike those found in prisons; and vast disagreement over work release policies exists.

Despite these reservations based on the empirical evidence, Doleschal indicates that some evidence exists which suggests that community alternatives, which preclude incarceration, may well prove more effective than programs associated with correctional settings. He does not, however, provide illumination as to what this evidence is.

Waller (1974) studied penitentiary inmates who were either paroled or released upon completion of sentence. Using sophisticated statistical techniques Waller demonstrated that "neither prison or parole, in part or total, are correctionally effective" (p. 205). While future reform efforts will continue attempts to reduce recidivism, they may be better justified on humanitarian grounds alone.

For Waller prisons may cause men who have been rejected by society to reject goals they initially might have held, i.e. a good job, a stable marriage, or close friends; goals which are common to a majority of "ordinary citizens." Lacking these goals, ex-offenders have little reason not to re-offend. It is Waller's conviction that:

> If this vicious circle could be broken by a successful relationship or a good job, this might increase the ex-prisoners' chances of developing other attachments to the 'straight' world (p. 206).

Waller has suggested that correctional authorities, using available sociological knowledge, should attempt, "rational experimentation followed by adequate evaluation" (p. 207). Innovations aimed at

providing for a more rehabilitative, economical and humane correctional system must be introduced. Specifically, both prison and parole staff should concentrate their efforts on those intervening variables Waller has found to be highly related to the probability of re-arrest. These variables include: employment, drinking, fighting, undesirable associates and family situation.

In this regard employers could possibly be subsidized to hire offenders. Also, for those offenders who may not be ready to enter the job market, sheltered workshops could provide a necessary transition stage. Special intensive casework would seek to involve the parolee with ex-offender groups and community counselling services in the hope of providing positive community support which would steer the parolee away from contacts with "undesirable associates." Citizen volunteers could aid in this process but as Waller has stated, "The public must be educated to accept and help those men, especially since many of the ex-prisoners' problems seem to stem from not being accepted by straight society" (p. 208).

Since some offenders have difficulty relating to "suit and tie" university graduates, parole officers should be recruited from both lay and "professional" ranks. The aim must be to provide for truly "helping relationships" rather than merely satisfying organizational demands.

For many of those inmates who have not served enough of their sentences to qualify for full parole, Waller has recommended that more extensive use be made of work and study release, halfway houses, private homes and hostels as alternatives to total confinement. Such measures help offenders to maintain familial contact while exposing them to the positive influences of the community. In this regard citizen volunteers

should be recruited to work with offenders granted these community alternatives.

Waller's thesis, then, is that offenders must come to have a stake in the community if they are to have any hope of leading normal lives. Correctional authorities should experiment with innovative programs designed to achieve this end.

The question of costs and benefits in relation to community correctional programs has recently come under closer scrutiny than in the past. To date few comprehensive cost benefit analyses of programs have been completed. The literature reveals the following considerations of the cost benefit question.

Monkman (1975) conducted a cost analysis, feasibility study for a proposed community corrections centre in Fort Wayne, Indiana. The proposed centre was to have provided pre- and post-release programs, both on a residential and non-residential basis. Also, those offenders diverted from the courts would have been expected to make use of the centre. The results of the study demonstrated the operating costs would in all respects exceed those of existing correctional institutions. Monkman suggested that while dollar savings could not be used to justify the centre, perhaps the promise held by a sophisticated community approach to corrections, itself, justified the establishment of the centre. This latter argument, however, was left unsupported by empirical evidence.

Thalheimer (1975) has compiled a comprehensive cost analysis guide which will be of great value to correctional agencies in making decisions regarding the place of halfway houses in the continuum of

corrections.[2] While Thalheimer's work is a necessary first step in this direction, he suggests that more research will have to be undertaken in order that a more complete understanding of cost-related variables can be obtained. Future studies will have to consider indirect costs, costs to the community, and so forth. What Thalheimer does demonstrate, however, is that halfway houses are not always less costly than traditional incarceration, as many of their proponents would have us believe. In the United States during 1974, for example, the mean jail cost for state institutions amounted to $7,041 per inmate year (Singer and Wright, 1976:15). Only if halfway houses fail to provide comprehensive in-house services were they found to be less expensive. If they do provide comprehensive services, then the mean cost is $8,049 per inmate year (p. 103).

Nelson (1975) in discussing Martinson's "What Works? - Questions and Answers About Prison Reform" (1974) comes to the conclusion that since the rehabilitative efficacy of a variety of community correctional programs has not been demonstrated, then perhaps we might attempt to justify their continuing existence on the grounds that they are cheaper and more humane alternatives than are traditional forms of incarceration. The method he proposes to accomplish this task involves a sophisticated cost-benefit analysis. This method has not been widely used to date

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[2] A similar guide was developed by Robert G. Hann and Richard Sullivan for the Solicitor General of Canada. See "A Cost Benefit Approach to Evaluating Community Residential Centres" in the Report of the Task Force on Community-Based Residential Centres, Information Canada, Ottawa, 1973.

since the proponents of community corrections are already convinced - that is they have "faith" without benefit of empirical evidence - that their programs are, in fact, less expensive and more humane. Those few studies that have attempted cost benefit analyses of alternatives to incarceration are of limited value because they have been conducted solely from a governmental point of view. They have neglected to take into account the perspective of either society or the convicted offender. Since "cost benefit calculations must go deeper than institutional budgets" (p. 50) Nelson suggests a cost benefit approach that would thoroughly evaluate programs from the perspective of government, society and the convicted offender. In each category primary, secondary and tertiary costs and benefits would be calculated.[3] Only the adoption of such an approach will allow us to determine if, in fact, our resources are being effectively used.

Turning now from cost-benefit considerations, a growing body of evidence suggests increased division and conflict within the total system of criminal justice administration as a result of graduated release programs.

A 1974 report of the Standing Senate Committee on Legal and Constitutional Affairs, dealing with parole in Canadian society, also made reference to temporary absence programs, both provincial and federal. The report clearly stated that temporary absence was designed in order that selected inmates might be released for periods of up to fifteen days for medical, humanitarian and for rehabilitative reasons.

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[3]For a more complete discussion of this complex approach, see Cost-Benefit Analysis and Alternatives to Incarceration, Federal Probation, XXXIX, December 1975, Number 4.

Any other utilization of temporary absence contravenes both the spirit and letter of law. The Committee concluded:

> We are convinced that there should be no provision for 'back-to-back' temporary absences since continuous absence constitutes parole and is therefore the responsibility of the parole authorities. Temporary absence provisions should not become, as they have in the past and are now in some provincial systems, substitutes for parole (p. 92).

Another section of this report dealt with conflicts existing between judicial and parole authorities. The Senate Standing Committee reports that judges have accused parole authorities of incompetence, excessive leniency and a failure to take judicial reasoning for "stiff" sentences into account when granting parole. As a result, some judges have resorted to even stiffer sentences and, increasingly, are ordering terms of probation to follow jail sentences in attempts to maintain court control over offenders.

This conflict has also been reported in the media. In 1971 Provincial Judge C.H. Rolf of Alberta accused the National Parole Board of "flagrant dereliction of duty" following the granting of a full parole to an habitual criminal not long after conviction (McHugh, 1971, pp. 1 and 7).

A newspaper article carried in the Ottawa Citizen on February 1, 1972, reported the statements of Provincial Judge Les Bewlay of the provincial court of British Columbia. Judge Bewlay made the claim that present parole practices are encouraging crime in Canada and that not only the courts, but the police and public as well were very dissatisfied with the situation (Lynch, 1972:1).

In February, 1973, the Criminal Law Quarterly printed an editorial dealing with the problem of conflict between judicial and parole authorities. The editorial viewpoint taken was that: "the post

sentence process appears to take on all the aspects of a device to defeat the original judicial determination" (p. 97). However, it is likely that conflict will continue to exist so long as parole boards and courts are separate institutions emphasizing different objectives.

Seymour (1970) has addressed the question of correctional administrators undercutting sentences imposed by courts of law, in terms of how far such undercutting can, or should be allowed to take place. The extent that parole authorities have already been able to undermine the power of the courts is, in Seymour's view, an unfortunate occurrence since parole boards tend to minimize deterrence and retribution, vital aspects of a sound system of criminal justice administration. According to Seymour, the courts should retain responsibility for overall control, but within the framework of a more integrated system of criminal justice. Legislative changes are required to bring an integrated system into being, a system which would resolve the present conflicts and make for a more rational criminal justice policy.

Coffey, Eldefonso and Hartinger (1974) also discuss the need for a truly integrated system of criminal justice administration. They approach the existing system from a functional perspective, noting that the policies of any one agency within the larger system can have either functional or dysfunctional effects upon the workings of the entire system. Unintended consequences can and often do result from the goals of particular agencies. As a result, the various agencies involved are often at odds with each other. Coffey et al. make specific reference to the police who, perceiving themselves to have been left out of legislative and executive decision-making in areas of vital concern to their sphere of operations, have become cynical and bitter. Thus the

police see little value in contemporary correctional and judicial processes and may actively oppose them.

Milner (1971) adds weight to this position in his discussion of police responses to legal change. Social and legal reformers are rarely viewed by the police in a positive light. Instead, the police, whose advice is only infrequently solicited, perceive reformers to be overly humanitarian idealists whose policies will serve to worsen the crime problem. "Thus police defensiveness, plus their distaste for social reformers, leads police to take a rather negative view toward the present direction in criminal law reform and toward those who advocate these changes" (pp. 248-249).

In Canada the police have made it clear that they have serious reservations concerning both parole and newer programs of temporary absence. A 1972 report, presented by the Canadian Association of Chiefs of Police to the Senate Standing Committee on Legal and Constitutional Affairs, reflected police concerns. In reference to temporary absence from correctional institutions, the report states:

> The program of temporary absence may be excellent in principle but this is precisely one of the most dangerous areas where experimentation is going on with the potential parolee who is an unknown quantity. These programs should continue but the conditions and preparation for people to be granted this privilege should be even more stringent and go deeper than that for parole (p. 3).

These reviews provide evidence for the existence of conflicts within the total system of criminal justice administration. There are conflicts between Federal and Provincial authorities in regard to the role of certain correctional programs; there are conflicts between judicial and correctional authorities regarding parole practices, which may be generalized to temporary absence programs; and there are

conflicts between the police and correctional authorities concerning both parole practices and temporary absence programs.

Correctional authorities, in their enthusiasm for community programs, may well exacerbate these conflicts if such programs are allowed to develop without due concern for the interests and objectives of other criminal justice agencies. In the final analysis it is the criminal offender who will suffer because of a lack of integration between agencies, and his perception of the criminal justice system will be one of inconsistency and arbitrariness.

Greenberg (1975) notes the trend in recent years to describe a wide variety of non-institutional correctional programs under the general rubric of what has come to be known as community corrections. He points out that in the field of criminal justice administration, a field noted for controversy, there is a rather surprising consensus across the "political spectrum" concerning both the desirability and efficacy of community-based corrections. Greenberg states that community corrections programs have proliferated "largely free from critical scrutiny" (p. 2). He attributes this to the following factors: uncritical acceptance of the rationale for community corrections, a continuing commitment to the concept of community involvement that characterized the war on poverty, lack of a clear definition of community corrections and a growing conviction in our society that prisons are inhumane and possibly counter-productive in the rehabilitation of offenders. Greenberg provides an analysis which puts the stated rationale for community corrections in doubt, discusses the problems community corrections faces and indicates some of the unintended consequences to which community corrections has given rise.

Concerning the rationale for community corrections, Greenberg discusses the most commonly put forward, i.e. that since prisons neither deter nor rehabilitate, in fact often contributing to the development of criminal behavior, community programs are a superior alternative. Also community-based programs are both more humane and less costly than incarceration.

Greenberg reviews the existing empirical evidence and concludes that community programs are no more successful in the task of rehabilitation than are institutional programs; in some cases they may produce worse results. Furthermore, statements to the effect that prisons do not deter crime are based on specious reasoning. Greenberg cites recent econometric studies that tend to support the deterrence position. While the results of such studies may be open to interpretation, they clearly lend no support to the "no deterrence" argument (p. 3).

Why, asks Greenberg, is the community considered to be such a therapeutic environment; was it not there that criminal behavior originated? Also when we speak of reintegrating offenders, we forget that many were well integrated in their communities in the first place, albeit in criminal life styles. It may be, as well, that the community does not want a greater number of convicted criminals released from prison; nobody has bothered to ask. Finally, Greenberg states that community corrections is in no position to generate viable new opportunities in the face of political and economic realities.

Addressing the question of cost effectiveness, Greenberg states that this approach often assumes costs and recidivism rates to be the only criteria relevant to an evaluation of programs. But why not look at crime rates in general instead of simply recidivism rates? If crime

rates increase as a result of community alternatives to incarceration, then the cost to society may be even greater than the costs of incarceration. Also, it is not necessarily true that community programs are always less expensive than incarceration. If community corrections attempt to provide sophisticated counselling, educational and vocational programs, the costs could be considerable. Institutional costs may not go down significantly as a result of decarceration, since many such costs are fixed and on a per capita basis the cost of incarcerating the remaining inmates would actually increase. Finally, Greenberg states that in those areas where extensive decarceration has already taken place, correctional budgets have not been reduced. He attributes this largely to the bureaucratic instinct for self preservation.

Considering the question of humanitarianism, Greenberg is of the opinion that much of the pain and suffering that goes on behind prison walls can and should be reduced, but some pain and suffering may, in fact, be quite appropriate, especially when the offense committed was serious. Greenberg also reviews studies dealing with offender attitudes towards probation and halfway houses, studies which found that many offenders prefer incarceration to these alternatives. Clearly there are some offenders who will, in the argot of the prisoners, "shake rougher time" in community-based programs than behind bars.

Perhaps the most crucial problem facing correctional administrators is determining offender eligibility for community programs. Many such programs exclude certain classes of offenders from participation, often on the basis of perceived dangerousness. The problem with this, Greenberg states - and he cites empirical studies - is that existing instruments for predicting future dangerousness are notoriously inaccurate.

Some programs admit offenders on the assumption that it is unlikely that they will repeat serious offenses. This raises moral and ethical questions, however. Would, Greenberg asks, it be just to release Adolf Hitler to the community given that he would be unlikely to commit further offenses since he had now fallen from power? If one accepts the notion that offenders unlikely to recidivate can be placed in community programs, why even bother; why not release them outright?

Another problem in selection and eligibility is determined by geographic location. In a community-based system, those offenders in areas where a wide variety of community resources are available will be in a better position to gain admittance to programs than those located in areas where resources are scarce. This raises the question of inequality due to differential treatment opportunities.

There is also the problem of offender rights. Correctional administrators make a number of "quasi-judicial decisions" when granting, rejecting, or revoking community alternatives for offenders. Since these decisions may have lasting consequences for offenders, should they not be protected from the possibility of subjective and discriminatory decisions?

Finally, Greenberg asks, what unanticipated consequences will community corrections have on the correctional system as a whole? If only high risk offenders remain incarcerated, will they not react with more hostility as a result of a greater degree of negative labelling? Prisons could well become much more volatile places than they presently are. Also, if more relatively high risk offenders are placed in community programs success rates can be expected to decline. The situation that could develop then would be one in which community programs

would appear to be failing and prisons would appear to be getting worse.

Greenberg concludes his discussion with the statement that, "ill considered reforms not infrequently backfire in ways the reformer eventually finds dismaying. Here it is the prisoner who will pay the price" (p. 29).

CHAPTER III

DESCRIPTION OF THE PROGRAM

The Alberta Temporary Absence Program, now operational in provincial correctional facilities,[1] has effectively superseded the federal gradual release program of day paroles.[2] During the nine-month period for which official statistics are presently available, i.e. from April 1, 1976 to December 31, 1976, a grand total of 6,251 temporary absence applications were received throughout the province; of these, 4,607 or 73.7% were granted. Table 1 (p. 41) shows the distribution of temporary absences for the various facilities and Table 2 (p. 42) the average daily population for each on a monthly basis. Table 3 (p. 43) shows the results of the first twelve months' experience with temporary absence in Ontario for some categories presently in use in Alberta. As will be discussed in more detail later, the Ontario temporary absence program was the model for the Alberta program. These statistics provide useful comparative information regarding the two programs.

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[1]Provincial facilities include: Peace River Correctional Institution, Fort Saskatchewan Correctional Institution, Belmont Community Correctional Centre, Calgary Correctional Institution, Calgary Remand and Detention Centre, Nordegg Forestry Camp and the Lethbridge Correctional Institution.

[2]For a complete description of the former day parole program, see Heckbert, Douglas R., Day Parole in Alberta, unpublished M.A. Thesis, University of Alberta, December, 1976.

TABLE 1
TEMPORARY ABSENCE APPLICATIONS FOR ALL CORRECTIONAL INSTITUTIONS FOR THE PERIOD
APRIL 1, 1976 TO DECEMBER 31, 1976

TYPE OF TEMPORARY ABSENCE		INSTITUTIONS							
		BELMONT	CALGARY	CALGARY REMAND	FORT SASKATCHEWAN	LETHBRIDGE	NORDEGG	PEACE RIVER	TOTALS
1- 3 DAY	APPLIED	53	646	5	285	94	17	123	1223
	GRANTED	53 (100%)	614 (95%)	5 (100%)	284 (100%)	93 (99%)	17 (100%)	109 (87%)	1175 (96%)
1-15 DAY	APPLIED	407	421	9	619	1138	106	228	2928
	GRANTED	318 (78%)	294 (70%)	4 (44%)	296 (48%)	513 (45%)	93 (88%)	172 (75%)	1690 (58%)
EMPLOYMENT	APPLIED	271	91	7	22	90	12	6	499
	GRANTED	256 (94%)	59 (65%)	7 (100%)	21 (95%)	48 (53%)	12 (100%)	5 (83%)	408 (82%)
EDUCATION	APPLIED	57	26		2	23		1	109
	GRANTED	54 (95%)	12 (46%)		0 (0%)	15 (65%)		1 (100%)	82 (75%)
GROUP	APPLIED	13	11		23	339	17	43	446
	GRANTED	13 (100%)	11 (100%)		22 (96%)	294 (87%)	17 (100%)	43 (100%)	400 (90%)
MEDICAL	APPLIED	10	7		62	20	2	3	104
	GRANTED	10 (100%)	7 (100%)		62 (100%)	20 (100%)	2 (100%)	3 (100%)	104 (100%)
RECURRING	APPLIED	539	123	2	28	44	6	200	942
	GRANTED	381 (71%)	94 (76%)	0 (0%)	27 (96%)	40 (91%)	6 (100%)	200 (100%)	748 (79%)
TOTALS	APPLIED	1350	1325	23	1041	1748	160	604	6251
	GRANTED	1085 (80%)	1091 (82%)	16 (70%)	712 (68%)	1023 (59%)	147 (92%)	533 (80%)	4607 (74%)

*Also note that 55 inmates were granted fine option temporary absences in Edmonton and Calgary between November 8, 1976 and December 31, 1976.

TABLE 2

AVERAGE DAILY POPULATION FOR ALL INSTITUTIONS FOR THE PERIOD

APRIL 1, 1976 to DECEMBER 31, 1976

FACILITY	AVERAGE DAILY POPULATION PER MONTH								
	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC
BELMONT	107.8	103.4	105.7	108.3	117.6	122.5	127.3	139.6	146.4
CALGARY	260.6	272.1	293.3	291.8	290.0	272.0	299.7	343.5	301.6
CALGARY REMAND	150.0	161.5	162.8	152.4	157.0	164.3	183.6	177.7	169.1
FORT SASKATCHEWAN	565.8	512.3	542.2	554.8	564.1	561.5	547.3	577.4	515.3
LETHBRIDGE	139.9	150.4	159.0	156.1	156.0	171.6	155.2	140.0	149.0
PEACE RIVER	165.4	166.9	159.8	164.0	156.5	159.2	161.7	163.9	148.5
NORDEGG	47.4	46.3	34.6	28.8	27.5	31.1	38.0	55.1	74.7

TABLE 3

RESULTS OF ONTARIO T.A.P. APPLICATIONS -

12 MONTHS ENDING AUGUST 31, 1970

Type of Absence Requested	Applications Received	Applications Approved and Activated	% Applications Approved and Activated
1- 3 day absence	1105	837	75.7
4- 15 day absence	149	44	29.5
Education	177	89	50.3
Employment	199	100	50.3
TOTALS	1630	1070	65.8

While Table 2 gives a clear indication of the daily average population for each institution, a consideration of Table 1 reveals that population size alone is insufficient to explain differences in total numbers of temporary absences granted per facility. We might have expected that those institutions with the largest populations would both receive and grant the greatest number of temporary absence applications, but this obviously was not the case. Belmont, with the smallest daily average population, was second only to the Calgary Correctional Institution in terms of absolute numbers of temporary absences granted. This reflects the fact that these two institutions, regardless of differences in population size, have the best facilities available to house inmates released on a daily basis.[3] It should be noted, however, that over half (56.3%)

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[3]Belmont's raison d'etre is, in fact, the release of inmates to the community on a daily basis. Calgary Correctional Institution is the only provincial institution with a separate facility on its grounds to accommodate inmates released on a daily basis. This facility called - by the inmates - The Midway - houses 30 inmates.

of the total temporary absences granted at Calgary were for short term, 1-3 day, temporary absences.

Fort Saskatchewan Correctional Institution, the largest provincial institution, not only lacks separate facilities in which to house releasees, but also transfers large numbers of "good" candidates to Belmont for program participation.[4]

The differences in total number of temporary absences granted per facility, then, can be attributed to a number of factors. They include: (1) Population size; (2) Stage of the program's development; (3) Orientation of the facility, i.e. some facilities are more custodially-oriented than others. Peace River Correctional Institution, for example, has a strong orientation towards custody, while the Belmont Community Correctional Centre is essentially a release centre; (4) Number and quality of staff available to administer the program; and (5) Community resources and receptivity.

A comparison of Tables 1 and 3 reveals that in similar categories, i.e. 1-3 day, 1-15 or 4-15 day, Employment and Education, not only were far more applications received in these categories in Alberta during the first nine months of program operation as compared with the first twelve months of program operation in Ontario, but the percentage of those granted in Alberta was, in all categories, significantly higher than in Ontario. As Fox (1971) has stated of the Ontario program during

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[4]It should be noted that Fort Saskatchewan's population normally includes approximately 200 men on remand who are usually not considered as candidates for the temporary absence program.

its first year of operation: "There is little doubt that the high rejection rate is a reflection of a deliberate departmental policy to move slowly and cautiously in the initial stages of the program" (p. 53). Alberta's policy, as revealed by the available statistics, appears to be relatively more liberal.

In order that the policies, components and operational procedures of the Alberta program can be made as clear as possible, a general and idealized description of how the variety of temporary absences may be obtained by qualifying inmates is presented. Note, however, that this description is idealized; actual practice, as will be discussed in more detail later, varies somewhat from institution to institution.

All Albertans sentenced to terms of incarceration for two years less a day, and under, are committed to provincial institutions. Upon admission to a correctional institution, the offender immediately comes into contact with the institutional classification section, a unit of the "treatment team."[5] The classification section initially divides all new admissions into two groups on the basis of sentence length. Those inmates serving sentences greater than four months are referred to the counselling section for further assessment and possibly institutional treatment, while those serving four months or less are referred to the community release section for consideration. Classification also assigns each new inmate a security rating, i.e. minimum, medium or maximum security, based on the seriousness of offence, perceived dangerousness and escape potential. It is the duty of the classification section to

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[5] In our provincial institutions the so-called treatment team comprises the following sections: Classification, Community Release, Counselling, Medical, Recreation and Visiting.

provide comprehensive social histories to the counselling section and shorter, more immediately forthcoming assessments to the community release section for each inmate referred.

When, in the opinion of counselling staff, an inmate is "ready" - i.e. having responded "positively" to institutional treatment or perceived not to be in need of it - he may then be transferred to the community release section. These inmates, as well as those initially assigned to the community release section, become the responsibility of community release officers and their assistants.

While release into the community on a daily basis for the purposes of employment or education is normally contingent upon assignment to the community release section, virtually all inmates, regardless of section assignment, have access to the temporary absence program at some level. In fact, every inmate has the right to apply for any kind of temporary absence he desires, at any time and at the very least will receive an explanation for whatever decision is made. For example, a majority of inmates could perhaps qualify for the following types of temporary absence:

(1) Recurring Temporary Absences - which are most often used for weekend and other short term passes where inmates wish to participate in acceptable "outside" activities on a regular basis. Acceptable activities are legitimate, sanctioned activities, which hopefully contribute to the inmate's rehabilitation. Such activities typically include visits to family and friends.

(2) Group Temporary Absences - which are issued where institutional staff deem it beneficial for a group of inmates to participate

in selected community activities, usually of an educational or recreational nature. Such activities include football, hockey and baseball games, as well as field trips to museums, treatment centres and so forth. Group temporary absences are made in the company of institutional staff members.

(3) 1 - 3 day Temporary Absences - which are, in certain special cases, available to a majority of inmates. A death in the family, or the serious illness of a loved one would generally be sufficient reason to obtain a temporary absence for compassionate purposes. One- to three-day temporary absences are, however, most often granted for short-term pre-releases. For example, where an inmate's release date falls on a weekend or statutory holiday, he may be granted a 1-3 day pre-release.

(4) Medical Temporary Absences - which are issued to inmates in cases where a need for hospitalization exists that cannot be adequately dealt with within the confines of a correctional institution.

The remaining temporary absences are more likely to be issued to those inmates who have been referred to the community release section. They include:

(1) Fine Option Temporary Absences - which are special temporary absences presently being used on a trial basis in Edmonton and Calgary. These temporary absences are designed for inmates incarcerated in default of payment of fines. (A survey of provincial institutions completed by the Solicitor General's Department on March 31, 1976 indicated that approximately 8% of sentenced prisoners were serving such sentences.) These

types of inmates are identified immediately upon entering a correctional institution and are given the option of either working in the community in order to obtain money with which to pay their fines, or performing an agreed upon number of hours of voluntary community service while on temporary absence.

(2) Employment Temporary Absences - which are considered for approval after an inmate has confirmed employment. This type of temporary absence allows the inmate to be absent between specified hours for the purposes of employment in the community. While so employed, the inmate is expected to provide support for his dependents and is required to pay room and board to the institution at the rate of $5.00 per day to a maximum of $100.00 per month. Also, the inmate must assume personal responsibility for travelling to and from work each day. Existing regulations forbid the use of private automobiles so other means of transportation must be found. Most employment temporary absences have a maximum life of fifteen days after which they must be renewed. (This is an automatic administrative procedure, barring a violation of temporary absence conditions.) Temporary absence permits for the purposes of employment may, however, be issued for shorter periods if necessary. For example, an inmate confirms employment but must report to work within a day. Where a failure to report would result in loss of the employment opportunity, the institution may issue a five-day temporary absence permit (classed as a recurring temporary absence) so that work can

begin immediately. The institution may also grant temporary absence on a daily basis (a 1-3 day temporary absence) for the purpose of seeking employment.

(3) Educational Temporary Absences - which are issued to those inmates who are desirous of upgrading or continuing their education either vocationally or academically. These temporary absences are very similar to those issued for the purposes of employment as discussed above. Inmates granted temporary absence to undertake studies in the community are not, however, required to pay room and board.

(4) 1-15 Day Temporary Absences[6] - which are in effect community releases and are most similar to full paroles. Approved inmates may be granted 1-15 day temporary absences either to reside in community residential centres, where participation in a treatment program may or may not be a requirement, or to return to their own homes. Examples of community residential centres in Alberta are Ramsay House, Howard Manor, Poundmakers Lodge and Kindred House.[7]

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[6]Note the ambiguity caused by designating these types of temporary absence as 1-15 day when, in fact, employment and educational temporary absences are issued for 1-15 days as well. Also, these three types are routinely issued "back to back" i.e. automatically renewed every 15 days barring problems, so that the 1-15 day stipulation is somewhat meaningless.

[7]The use of community residential centres in Alberta has increased dramatically during the past year. The Annual Report of the Community Services Branch for 1975-76 reported that 22 community residential centres received a total of 278 temporary absence referrals from correctional facilities during the year. A similar report for the nine month period from April 1, 1976 to December 31, 1976 shows 26 community residential centres receiving a total of 558 temporary absence referrals from correctional facilities.

For a clearer understanding of the relationship between classification and temporary absence see Table 4 (p. 51).

Approval of temporary absence applications is dependent upon the positive recommendations of correctional staff at a variety of levels and is a fairly involved bureaucratic process. In order to clarify this process a few key examples are given.

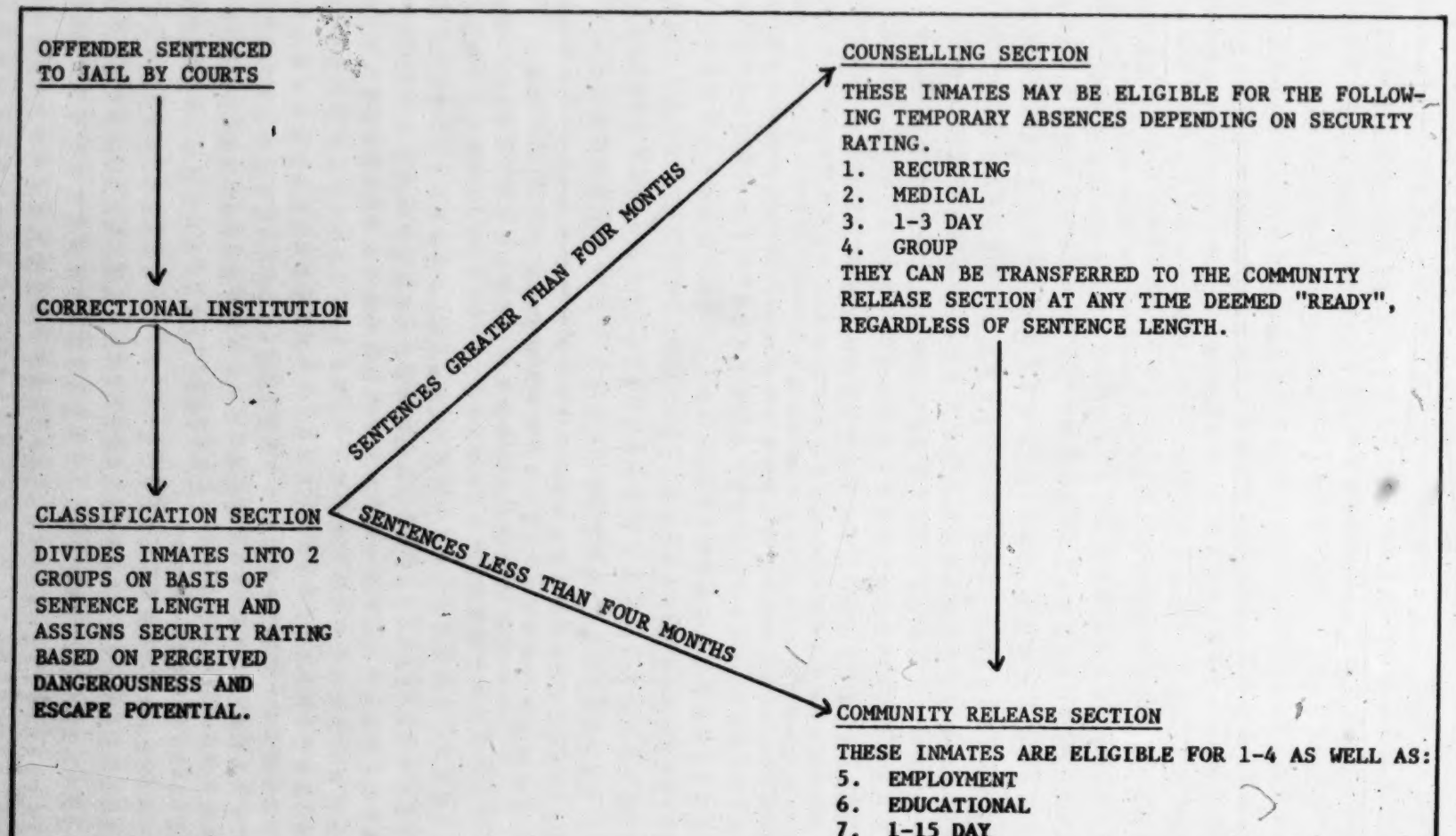
(1) Inmate applies for a recurring temporary absence - normally this would be a weekend pass or a pass for a portion of a weekend. It could, however, be a pass which would allow an inmate to participate in some recurring community activity, either on a week day or during an evening period.

An application is completed specifying both the reasons for and the purpose of the desired temporary absence. This application is delivered to the appropriate counsellor or community release officer who discusses it with the inmate. If the application involves either a visit to or an overnight stay at a private residence, then a community investigation of the residence in question must be completed. In major population centres such as Edmonton and Calgary special non-institutional Community Release Units conduct these investigations while in smaller rural communities the local probation office has the responsibility. These community investigations may include police reports[8] and the investigating officer's impressions of

[8]Police reports are requested at the discretion of the institutional caseworker. No clear cut instructions presently exist concerning circumstances under which police reports would be most desirable. Also, despite the fact that police reports contain a recommendation either for or against temporary absence, the institutional review committee is not bound by this recommendation and may grant temporary absence even in the face of a negative police recommendation.

TABLE 4

FLOW OF INMATES


OFFENDER SENTENCED TO JAIL BY COURTS
CORRECTIONAL INSTITUTION
CLASSIFICATION SECTION
DIVIDES INMATES INTO 2 GROUPS ON BASIS OF SENTENCE LENGTH AND ASSIGNS SECURITY RATING BASED ON PERCEIVED DANGEROUSNESS AND ESCAPE POTENTIAL.
SENTENCES GREATER THAN FOUR MONTHS
SENTENCES LESS THAN FOUR MONTHS
COUNSELLING SECTION
THESE INMATES MAY BE ELIGIBLE FOR THE FOLLOWING TEMPORARY ABSENCES DEPENDING ON SECURITY RATING.
1. RECURRING
2. MEDICAL
3. 1-3 DAY
4. GROUP
THEY CAN BE TRANSFERRED TO THE COMMUNITY RELEASE SECTION AT ANY TIME DEEMED "READY", REGARDLESS OF SENTENCE LENGTH.
COMMUNITY RELEASE SECTION
THESE INMATES ARE ELIGIBLE FOR 1-4 AS WELL AS:
5. EMPLOYMENT
6. EDUCATIONAL
7. 1-15 DAY
8. FINE OPTION (IN EDMONTON AND CALGARY ONLY)

the inmate gained from community sources. Also, a "field trip" to the proposed residence is made and the residence is evaluated. When the community investigation is completed, it is telephoned to the appropriate institutional officer who later receives a written copy. If a community investigation is negative then temporary absence cannot be granted, at least not to the residence investigated. If, on the other hand, the investigation is positive the appropriate institutional officer may, if the inmate's conduct has been favorable and if the officer feels that the temporary absence would be of benefit to the inmate, recommend that temporary absence be approved. He may, however, qualify his recommendation by suggesting that temporary absence be granted subject to certain conditions. These conditions might forbid participation in any activities deemed potentially harmful to both the inmate and society. Examples are consumption of alcohol and entering licensed premises.

Next, the application and recommendations pertaining to it are presented by the officer to an institutional review committee consisting of three members.[9] The committee in turn add their

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[9]Normally the committee consists of: The Deputy Director of Programs (a management position); representatives from operations (correctional security); and treatment or program staff. The Deputy Director of Programs acts as chairman of the committee and is its only standing member.

recommendations to the application and forward it to the Director of the institution for approval.[10] If the Director approves of the application temporary absence is granted on a recurring basis and continues in effect unless the inmate is found guilty of violating the conditions noted on his or her permit, or files a new application requesting more liberty, privileges, etc. If temporary absence is not granted, the inmate has the right to re-apply at any time.

(2) Inmate applies for an educational or employment temporary absence - here the procedure is much the same as in (1) but with the following differences.

The application is always referred to a community release officer or an assistant community release officer for consideration. (Counsellors normally process only recurring temporary absences.) The report containing the officer's recommendations, which ultimately is presented to the review committee, is more comprehensive than those for recurring temporary absences. Typically this report summarizes the inmate's past and present offences, evaluates his institutional progress and attitude and contains the proposed education or employment plan as well as

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[10] All temporary absences of five days and under may be finally approved at the institutional level. All those in excess of five days require the approval of a senior member of the headquarters staff. An Order in Council delegates final signing authority to the following senior members of the headquarters staff: The Deputy Minister of Corrections, the Assistant Deputy Minister of Corrections, the Director of Community Services and the Temporary Absence Coordinator. In practice, the Temporary Absence Coordinator handles a majority of such cases.

any long range plans he may have. The officer evaluates all of the available information and makes a recommendation either for denial or approval of the application.

In the case of employment applications, if the prospective employer is known to be reputable, then no community investigation is required. If on the other hand the prospective employer is not known to the community release officer or if any doubts exist concerning his acceptability, then a community investigation is requested. This community investigation aims at discovering whether in fact the prospective employer is reputable and has the ability to pay his staff. The community release officer presents the findings of the investigation to the review committee as a part of his comprehensive report. These types of temporary absences must then pass through the institutional director and finally meet with the approval of a senior member of the headquarters staff.

In the case of educational temporary absences community investigations are not likely to be necessary. In most other respects they are identical to employment applications.

Both employment and educational temporary absences must be renewed every fifteen days. This is a routine administrative procedure and does not require the submission of a new application.

(3) Inmate applies for a 1-15 day temporary absence - in all cases the inmate submits an application to the appropriate community release officer or assistant community release officer. If the temporary absence is to reside at the inmate's home, or

some other private residence, then a community investigation is an absolute necessity. If the temporary absence is to reside at a community residential centre, then tentative arrangements must be made with the centre concerning the proposed residency. These applications must then pass through the institutional review committee, the director of the institution, and finally a senior member of headquarters staff. Like educational and employment temporary absences, they must, as was previously noted, be renewed every 15 days.

When temporary absence is granted, for whatever reason, and inmates allowed to enter the community to participate in approved activities, they are subject to supervision by the Community Release Unit or local probation office in their area.[11] Probation or Community Release Officers may periodically visit inmates at their places of employment, study, training or residence to ensure that all conditions and regulations are being observed. If violations are found to have occurred, the inmate may be required to return to the appropriate institutions for possible disciplinary action.

In practice, the temporary absence program does not operate as smoothly or uniformly as outlined here. To date, policy and procedure manuals have not been compiled. Institutions are guided by brief tracts and policy statements from headquarters staff. As a result, each institution interprets policy in a somewhat different manner and

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[11] Ideally, the local police should be contacted when an inmate is about to be released to their area of operations. In practice, however, such notification does not always take place.

procedures and methods vary to some extent from institution to institution. A recent survey completed by the Temporary Absence Coordinator revealed some of the following kinds of problems.

1) There is no agreed upon method of imparting information concerning the program to the inmate population. Some institutions impart such information through formal channels, i.e. initial orientation sessions, while others apparently are confident that inmates will hear about the program by word of mouth.

2) The various institutions do not use a standard formula to determine when inmates are eligible for temporary absence consideration. Some institutions have an unofficial waiting period that amounts to one third of sentence length, while other institutions have no waiting period whatsoever.

3) Criteria for screening applicants and making decisions on their applications are widely divergent. While all institutions agreed that "previous record" is an important consideration, only one indicated that the reason for requesting the temporary absence was of prime importance to them. Furthermore, only half of the institutions surveyed considered family history and background to have much relevance and only one institution indicated an interest in long range release plans. Of all the sources of information available to correctional staff in this regard, ranging from police reports to institutional progress records, institutions indicated somewhat unique preferences for particular kinds of information.

The survey discovered a variety of other operational differences. They included differences in allowances from earnings for personal expenses and differences in the time required for processing applications.

From available sources of information, this newly-constituted program appears to most closely resemble the temporary absence program developed in Ontario during the late 1960's and early 1970's. Senior officials of the Solicitor General's Department confirm that the program was largely borrowed from the Ontario model. A careful reading of Fox (1971) reveals many similarities between the two programs. The structure, procedures and terminology employed in each are so similar that the origins of the Alberta temporary absence program cannot remain in doubt.

A more complete description of the Alberta Temporary Absence Program requires a consideration of available statistical information. In this regard data were obtained from the temporary absence coordinator, the research section of the Solicitor General's Department, the Belmont Community Correctional Centre and the National Parole Service. Unfortunately, the data are neither as complete nor as accurate as a rigorous empirical investigation may have yielded, but in terms of available information they represent the best material presently at our disposal. Where doubts or inconsistencies arise as to the validity of data, these doubts and inconsistencies are noted and wherever possible more reliable data are brought forward. It is hoped, therefore, that an accurate picture of the temporary absence program will emerge and that

the progression from a limited work release program, i.e. day parole, to the more comprehensive community correctional program of temporary absence will become apparent.

First, a brief presentation of relevant information regarding the day parole program is necessary. Day parole was first granted to Albertans in 1968. The authority to release inmates on day parole was granted under the terms of the Parole Act which excluded provincial statute offenders from eligibility. In Alberta, "It was generally agreed that unless there were extenuating circumstances, day parole would not usually be considered for sentences less than four months" (Heckbert, 1976:220). Furthermore, long day paroles, i.e. over three months, were not encouraged. Day parole was generally granted during the last months or weeks of sentence. The selection process employed worked to exclude sexual, violent and serious drug offenders (Heckbert, 1976:324).

During the last year, 1974-75, for which parole statistics are presently available, a total of 357 day paroles and 225 full paroles were granted to offenders incarcerated in provincial institutions in Alberta. Unfortunately, the National Parole Board does not have a data breakdown available that would show the number of day and full paroles granted at each institution. The Annual Report of the Corrections Branch (Alberta Solicitor General) for 1974-75 was consulted in this regard, but with discouraging results. The report shows Calgary Correctional Institution issuing 75 day paroles and Belmont 34, for a total of 109. These statistics are, as Heckbert

(1976:51) has observed, quite obviously in error. The National Parole Board, as indicated previously, reported 357 day paroles granted to provincially incarcerated inmates in 1974-75. Also, while it was not possible to secure an accurate institution by institution breakdown, Belmont was able to provide its meticulous day parole summary for the year. These records indicate a total of 264 day paroles issued during 1974-75 from that institution alone. Since the total represents approximately 75% of the 357 day paroles issued in Alberta during 1974-75, and in the absence of comparable records from the other institutions, Belmont's records represent the best information available concerning the former day parole program.[12]

The 264 day paroles granted at Belmont from April 1, 1974 to March 31, 1975 were for the following purposes: Employment, 243 (92.0%); Education, 14 (5.3%); Retraining (Life Skills Programs) 5 (1.9%); and Physio Therapy, 2 (0.8%).

During the year 53 day parolees and 11 other inmates received full paroles, making a total of 64 for the institution.

Turning now to the statistical information presently available in regard to the temporary absence program, Table 1 reveals that 4,607 temporary absences of all kinds were granted throughout the province from April 1, 1976 to December 31, 1976. If we exclude from this

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[12]This was the reason Heckbert's 1976 study, Day Parole in Alberta, focused on Belmont.

total those temporary absences granted under the following categories: 1-3 day, Group, Medical, Recurring and the 55 fine option temporary absences issued on a trial basis, we are left with 2,180 temporary absences granted under the categories: 1-15 day, Employment and Education.[13] It is this latter statistic that is most significant since these kinds of temporary absences were granted for purposes that formerly would have required either day or full parole. While some temporary absences were issued for gradual release purposes in 1974-75 they were extremely rare and were only granted in cases where day parole was imminent. As Heckbert (1976) states "...the vehicle for implementing gradual release in Alberta through 1974 has clearly been the National Parole Board's Day Parole" (55).

A breakdown of these 2,180 temporary absences reveals that 408 (18.7%) were granted for employment purposes; 82 (3.8%) for education; and 1,690 (77.5%) were community releases (1-15 day temporary absences).

During this same period provincial institutions reported no day paroles but a total of 49 full paroles granted.

A comparison of the province-wide data for the day parole program in 1974-75 with the relevant province-wide temporary absence

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[13] This statistic is, in all probability, quite accurate. This is due to the fact that the applications in these three categories must be sent to headquarters for final approval. It is unlikely, therefore, that institutional staff would falsify such statistics in monthly reports since the temporary absence co-ordinator would notice any discrepancies. It is much more likely that if "padding" occurs at the institutional level, it would involve the other categories that are more difficult to check.

data for the nine-month period in 1976, reveals the following. In 1974-75 a total of 357 day paroles and 225 full paroles were granted. In 1976 there were no day paroles but 49 full paroles were granted by the National Parole Board. Also 490 temporary absences were granted for purposes previously associated with day parole and 1,690 community releases were granted for purposes most closely approximating those for full parole. What cannot be determined in either case, however, is the extent of statistical overlap, i.e. we do not know how many inmates in receipt of day parole in 1974-75 later received full paroles nor do we know how many inmates in 1976 may have received one or more types of temporary absence and/or full parole. Because of these limitations we cannot determine absolutely the difference in total numbers of inmates released to the community in 1974-75 compared with the nine-month period in 1976. There can be little doubt, however, that the number of inmates in receipt of some form of gradual release during the nine-month period in 1976 was considerably higher than for the complete year 1974-75.

Further clarification is made possible by a comparison of Belmont's day parole statistics relative to the more recent temporary absence data. In 1974-75, as we have previously noted, a total of 264 day paroles were granted to Belmont inmates. All but 0.8% of these were granted for the purposes of employment, education or retraining. Also a total of 64 full paroles were issued to Belmont inmates during that year. In the nine-month period from April 1, 1976 to December 31, 1976, 9 full paroles, but no day paroles were granted to Belmont inmates. In addition, a total of 628 temporary absences were issued for purposes previously associated

with either day or full parole. Breaking down the statistic, we find that 256 (40.8%) of the total temporary absences were granted for employment purposes; 54 (8.6%) for educational purposes; and 318 (50.7%) for community releases.

Two things are immediately apparent from this comparison of data for the Belmont day parole and temporary absence programs. First, despite statistical overlap Belmont is undoubtedly placing considerably greater numbers of inmates into the community than ever before and second, the overall percentage of inmates on gradual release from the institution for employment, education or retraining has dropped from 99.2% to 49.4%, reflecting the large number of community releases (1-15 day temporary absences) granted to private homes and community residential centres. Note, however, that the percentage of inmates released from Belmont for employment and educational purposes is over twice the percentage for the province as a whole. This undoubtedly reflects the simple fact that Belmont still has the best facilities in the province to house a relatively large number of inmates released on a daily basis.

What are the probable reasons for the rather phenomenal increase in the number of inmates granted some form of gradual release in Alberta since 1974-75? One possible explanation could be that the inmate population has changed since 1974-75 providing a greater number of "good candidates" for gradual release. There is, however, no evidence to support this hypothesis. Annual Reports of the Corrections Branch for the past five years do not reveal any major changes in those characteristics of inmate populations which would be most likely to affect eligibility for gradual release. Table 5 (p. 63) reveals no significant differences in the percentage of inmates admitted to correctional institutions, from

TABLE 5

PERCENTAGES OF TOTAL ADMISSIONS FALLING INTO SPECIFIC CATEGORIES ON BASIS OF AGE, MARITAL STATUS, EDUCATIONAL LEVEL AND LENGTH OF SENTENCE FOR THE YEARS 1971-1976

% OF INMATES IN VARIOUS CATEGORIES	YEAR				
	1971-72	1972-73	1973-74	1974-75	1975-76
% OF INMATES 18 YEARS OF AGE AND UNDER	18.35	19.07	20.04	21.26	20.68
% OF SINGLE INMATES	67.06	68.45	70.22	73.59	72.97
% OF INMATES HAVING EDUCATIONAL LEVELS OF GRADE 9 OR UNDER	65.40	61.51	60.26	57.25	54.83
% OF INMATES SERVING SENTENCES OF 6 MONTHS OR LESS	75.25	75.92	78.03	77.86	79.25

1971-72 to 1975-76, on such variables as age, marital status and length of sentence. While a decreasing number of inmates have less than grade nine educational levels, the fact that over 50% continue to be relatively uneducated makes it difficult to suggest that today's inmates are better candidates for early release, due to higher educational levels, than in past years. Veteran correctional officials also expressed doubts that inmate populations have changed significantly in recent months or years.

Among the available statistics, perhaps the most revealing are those dealing with length of sentence. Heckbert (1976:219) has reported the following percentage distribution for the total number of inmates on day parole during 1974-75 in relation to length of sentence: 1-5 months - 9.4%; 6-17 months - 73.5%; 18 months and over - 17.0%. The research section of the Alberta Solicitor General's Department completed a one-day profile of the 207 inmates on temporary absence throughout the

province on November 26, 1976. The research section reported the following distribution of inmates on temporary absence in relation to sentence length: 1-5 months - 57.3%; 6-17 months - 34.5%; 10 months and over - 8.2%. These statistics quite obviously demonstrate that the relatively short term offenders who have traditionally formed the bulk of our total inmate population in Alberta, but who generally were not considered for day parole, are now being given top priority for temporary absence consideration. This is not at all surprising since departmental policy now calls for the early release of such short term offenders (see Appendix I). This policy is in keeping with the community corrections philosophy which holds that many short term offenders do not pose a threat to society and can be more effectively managed in community settings. This in turn helps to explain the phenomenal rise in use of community residential centres noted earlier.

Two other related factors have also influenced the dramatic increase in the use of gradual release. They are prison overpopulation and number of staff involved in directly administering the temporary absence program.

In 1974-75 there was a total of 16,043 admissions to correctional institutions in Alberta. By the end of 1976-77, however, high ranking officials in the Solicitor General's Department have estimated, on the basis of admissions to the end of December, 1976, that this figure will exceed 18,000. Since no new correctional facilities have been constructed during the last ten years[14] existing facilities have been forced to

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[14] Peace River Correctional Institution, the last provincial jail to be built, was completed in 1967.

accommodate approximately 2,000 more prisoners. In 1974 the Solicitor General, concerned with the problem of overpopulation, stated that a major goal must be "to lower jail populations" (Calgary Herald, February 28, 1974:2). Obviously this goal has not been reached, but correctional officials, believing there to be a link between jail unrest (as was evidenced in the 1976 Fort Saskatchewan Correctional Institution riot) and overpopulation, remain committed to it (Edmonton Journal, April 15, 1977:17).

Also since the temporary absence program was implemented, the number of institutional staff assigned to directly administer the program has greatly increased. Belmont had five social workers administering the day parole program in 1974-75; today there are 9 full time staff engaged in administering the temporary absence program. Throughout the province there is now a total of 54 institutional staff directly involved in this task[15] as opposed to approximately 10 in 1974-75 directly administering day parole. (These figures exclude staff who are only peripherally involved such as clerks and bookkeepers.) This staff has been largely hand picked by correctional administrators who have a community corrections orientation. They have been given a clear mandate to release selected inmates (see Appendix I) have accepted this mandate and are enthusiastically engaged in carrying it out. To some extent, then, this select group of institutional officers has undoubtedly contributed to the greater number of inmates now granted some form of gradual

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[15]Of the 54 institutional staff charged with the responsibility of placing inmates on temporary absence in Alberta, 4 (7.4%) are graduates of theological or community colleges; 25 (46.3%) are university graduates, 6 of these (11.1%) being the holders of masters degrees; and 25 (46.3%) are neither college nor university graduates. Most of this latter category is made up of correctional officers lacking senior matriculation.

release. It is not all that surprising to note that when release officers are hand picked and given a clear mandate to release more inmates, more inmates are released.

In summary, the adoption of the philosophy of community corrections, jail overcrowding, increased numbers of staff with a clear mandate to release inmates and the emphasis on releasing the short term offender not usually granted day parole in the past, has resulted in greater numbers of serving inmates being granted some form of gradual release than ever before.

CHAPTER IV

RATIONALES AND PROBLEMS

The preceding description of the day parole and temporary absence programs and the review of relevant literature contained in Chapter II makes it clear that policy makers in Alberta, like their counterparts in other correctional systems throughout the western world, follow what they perceive to be progressive trends in contemporary corrections. There seems to be a belief that somewhere someone has resolved the problems already and all that is required is to copy other "progressive" systems. The temporary absence program is a case in point. Despite the fact that there are many unanswered questions concerning work release, policy makers in Alberta, apparently drawing from the example of Ontario, have created a program which moves far beyond "mere work release." If all that was desired by the Alberta Solicitor General's Department was to control and administer day parole at the provincial level, without interference from the National Parole Board in Ottawa, then one might not expect the provincial program to differ greatly from the federal one. Instead, the day parole program, which was in essence a limited work release program, has been revolutionized by provincial policy makers imbued with the philosophy of community corrections. This has occurred despite the fact that there are even more unanswered questions concerning the efficacy of the newer forms of gradual release that fall under the broad heading of community correctional programs than there were with

day parole/work release.

Correctional policies in Alberta, then, appear to be guided primarily by what Empey (1969) has called "a strategy of activity," "a kind of intuitive, goal oriented guessing" (1967:79). This kind of strategy is problematic since it lacks an empirical base. As a result it is difficult to determine which types of inmates would be most likely to benefit from participation in new programs. Furthermore, accurate long term evaluation is made difficult by goals and objectives that are less than clearly defined. If the temporary absence program in Alberta is to become more rational and hopefully more effective, a "strategy of search" must be embarked upon which would enable policy makers to introduce refinements based upon empirical analysis. Since the program has been operational for less than a year empirical evaluative studies may, at this time, be somewhat premature. Preparations should be made, however, so that such studies can be conducted when more experience is gained. For the moment, therefore, it may be most instructive to relate the temporary absence program to the problems of both traditional work release and the problems of the newer community correctional programs of graduated release, problems that have become apparent from the review of relevant literature. This will enable us to provide direction for a "strategy of search," and on the basis of existing evidence to make suggestions regarding possible changes in policy.

First let us consider the stated goals and rationales of the temporary absence program. Correctional authorities believe that incarceration is far too widely employed in Alberta, that more harm than good is often done as a result and that the costs involved are too high, the benefits too low, to warrant continuing incarceration until expiry of sentence,

for many offenders. Temporary absence is one of a number of new community programs which policy makers are confident will provide a more economical, humane and rehabilitative alternative.[1] The review of the literature, however, provides little evidence that would justify such confidence. In other words, while acceptance of the alleged advantages of community alternatives is widespread, there is a paucity of supportive evidence.

What reasons do we have to believe that the temporary absence program has more rehabilitative potential than traditional incarceration? The results of empirical studies dealing with recidivism and participation in work release programs are often conflicting. The review (Chapter II) does demonstrate, however, that studies purporting to show a reduction in recidivism, as a result of the work release experience, are lacking in adequate control and experimental groups. The majority of studies providing for more adequate control can at best conclude that significantly different rates of recidivism do not result from participation in work release programs as opposed to traditional incarceration. The Leclair and Miller (1973) study, which provided for one experimental and two control groups (the total population of the Massachusetts

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[1]While the Temporary Absence Coordinator, the Deputy Director of Institutional Services and the Director of Community Services have all verbally confirmed, to varying degrees, these goals and rationales in relation to the newly developed community programs, i.e. temporary absence, diversion, fine option, etc., no clear written statement appears to exist which can be used for documentation purposes. The goals and rationales of the new programs are, however, implicit in departmental correspondence. See, for example, Appendix I. Other more concrete documentary evidence can be found in press releases and newspaper articles which discuss governmental programs and policy. In this regard see Joslin (1974), Jaremko (1975) and Helgason (1977).

Correctional Institution) actually found a "negative differential impact" for some types of participating inmates, i.e. for certain inmates the program seemed to significantly increase their chances of recidivism.

It should be noted that the Leclair and Miller study concerned a work release program operated from a "reintegration residence" or halfway house. Other empirical studies dealing with halfway houses and effects upon recidivism, reviewed in the section dealing with community corrections, failed to demonstrate a superior rehabilitative capacity for halfway houses, in terms of producing lower rates of recidivism, when compared with traditional incarceration. These findings are highly relevant since the temporary absence program in Alberta places an increasing number of inmates in community residential centres, or halfway houses.

Unfortunately, the one empirical study dealing with recidivism and the temporary absence program in Ontario (Crispino:1974) is so methodologically weak that the results are of no value whatsoever. The 0% recidivism rate reported says more about the investigators than it does about recidivism.

Finally, Doleschal's (1969) comprehensive review of graduated release programs demonstrated that the more rigorous our methodology has become the less evidence we appear to have for reduced recidivism.

In summary, there is insufficient scientific evidence to substantiate claims that community release programs, such as temporary absence, provide <u>superior</u> rehabilitative alternatives.

What is the evidence that programs like temporary absence provide a more economical means of dealing with offenders than does incarceration? While there is a widespread consensus in correctional circles concerning the economic advantages of such community alternatives, convincing

empirical evidence for such a consensus does not presently exist. The work release literature reveals a lack of adequate controls in studies purporting to find evidence for greater economy. Olsen (1960) has concluded that the proponents of work release often make unsubstantiated claims concerning the fiscal attractiveness of such programs. Adams and Dellinger (1969) found "no clear cut evidence" that the District of Columbia work release program was more cost effective than incarceration and the follow up study of McArthur, Cantor and Glendenning (1969) reserved judgement. McArthur et al. concluded that until base line data dealing with indirect costs could be determined, meaningful cost benefit analysis could not be carried out.

The community corrections literature reveals a similar pattern; that is, widespread acceptance of the economy position, but little empirical evidence for it. On the other hand some studies have demonstrated that community alternatives may be more costly than traditional incarceration. Monkman (1975) determined that the operating costs of a proposed community correctional centre in Indiana would exceed those of existing correctional institutions. Thalheimer (1975) provides data which demonstrate that halfway houses are less expensive than incarceration only if they fail to provide comprehensive services to residents. Like McArthur, Cantor and Glendenning (1969) Thalheimer stated that indirect variables have been ignored in many previous cost analyses studies and that further research is required in order that a more complete understanding of significant cost-related variables can be obtained.

This position is developed more completely by Nelson (1975) who stated that previous cost benefit analyses are of limited value because they have been conducted solely from the governmental point of view.

What is required is a comprehensive analysis encompassing the point of view of not only government, but the offender and society as well.

In a similar vein Greenberg (1975) has stated that future cost benefit studies must consider the possible effects on crime rates that community programs may have if the results of such studies are to have any meaning. If crime rates do, in fact, increase as a result of community programs then the resultant cost to society as a whole could be significantly greater than the cost of traditional incarceration. Greenberg has stated that incarcerated offenders are prevented, at least temporarily, from committing new offences against the free citizenry. If greater numbers of offenders are released to the community the rate of crime can be expected to increase.

In summary, there is little empirical evidence to suggest that a program such as temporary absence, which moves beyond "mere work release," making extensive use of community residential centres, will necessarily prove more cost effective and economical than traditional incarceration. In fact, a recent study by Lerman (1975) provides evidence which strongly suggests, despite statements to the contrary by correctional authorities in California, that both the California Treatment Project and the California Probation Subsidy program proved to be more costly than traditional incarceration. This occurred despite the fact that these community based programs were designed with a clear emphasis on reducing correctional costs. It is within the realm of possibility, therefore, that the temporary absence program could, in the long run, prove to be a more expensive alternative than incarceration.

Finally, what is the evidence that programs like temporary absence provide for a more humanitarian means of dealing with offenders than does

traditional incarceration? Irwin (1970) found the stigma of criminality, associated with parolees and "ex-convicts" generally, to be one of the major obstacles to successful reintegration. Waldo, Chiricos, and Dobrin (1973) empirically demonstrated that the self esteem of work releasees suffered from exposure to a hostile community. These results make it difficult to accept the "more humanitarian" position unequivocally. Also, Leclair and Miller (1973) found that some categories of inmates "were found to have been hurt by their participation in the day work program" (p. 28). Lerman (1975) in his study of the California Treatment Project and Probation Subsidy found that "The rates in the use of 'temporary detention' for parole treatment purposes, increased markedly during this period" (p. 14). In short, unchecked discretionary decision making on the part of correctional authorities resulted in the use of punitive measures on an unprecedented scale. Furthermore, Greenberg (1975) has noted that some offenders, frustrated by a half-in, half-out situation, prefer incarceration to community alternatives such as probation and halfway houses. He also makes the valid point that if prisons are inhumane, then why not strive to make them as humane as possible, while accepting the fact that some pain and suffering may be warranted?

In summary, while community alternatives in all probability may prove to be more humane for many offenders than traditional incarceration, empirical evidence for this possibility is presently lacking. The existing evidence suggests, however, that community alternatives may only be more humane for selected offenders in the absence of an overly hostile community.

One additional point should be made on the subject of humanitarianism. If crime rates do in fact increase as a result of community programs like

temporary absence, then the offenders' gain, in terms of more humanitarian treatment, will be the citizens' loss. If such a situation develops a citizen backlash could occur with the result that humanitarian gains in the treatment of offenders generally could be set back many years.

While there is little substantiating evidence at the present time on which to base claims that community programs and specifically the temporary absence program in Alberta provide superior rehabilitative, economic and humanitarian alternatives than traditional incarceration, such programs may have a good deal of potential in these areas if certain problems can be resolved. These interrelated problems include:

1. The Panacea or Bandwagon Effect - There has been a noticeable tendency in the history of corrections to get somewhat carried away with new ideas and all too soon to translate untested and ill-defined theory into practice. Until very recently "treatment" was hailed as a virtual correctional panacea. A variety of treatment approaches, from psychoanalysis to behavior modification, were widely employed in prisons throughout America, the British Commonwealth and Western Europe. Treatment, it was believed, would provide the best means of rehabilitating offenders humanely while saving the state millions of dollars as recidivism rates declined. It is now apparent that all the diverse treatment efforts have largely failed. Recidivism appears to be relatively unaffected by even the most sophisticated treatment programs. Furthermore, the cost of such programs has been enormous and some treatment programs, such as behavior modification, have been challenged on ethical and humanitarian

grounds.

Correctional policy makers generally appear to have learned little as a result of recent experience. Today the philosophy of reintegration has largely replaced the philosophy of treatment. Community correctional programs, many policy makers believe, have the potential to succeed where institutional treatment has failed. While the concept of community corrections undoubtedly has a good deal of potential, as did the concept of treatment, the bandwagon effect may well serve to destroy this potential.

As Amos, Nelson and Carlson all have pointed out, community corrections has limitations which must be understood. Amos is perhaps the most lucid in this regard:

> Community corrections is not a panacea. It is one correctional tool, among many. Because some of the more vocal or academic correctional writers feel community corrections is the final answer, that does not mean that their statements are necessarily accurate or valid. Different programs work for different people. We cannot forget individual differences (1973:45).

While policy makers in Alberta have not "seized upon community corrections as a panacea for all correctional ills" they have committed the Solicitor General's Department "to the concept of community corrections" (see Appendix I) despite the lack of empirical evidence for its alleged advantages. While it could be argued that present policies reflect the type of "rational experimentation" advocated by Waller (1974) rather than a "strategy of activity," it is essential that a critical perspective be maintained lest we come to believe that community corrections is in fact a panacea. What must be constantly

borne in mind is the fact that while community correctional programs and specifically the temporary absence program may be appropriate for certain offenders, they may be less appropriate for others. As Empey has stated:

> The need to isolate types of offenders works both ways. As well as identifying those who should be kept out of community programs, it is equally important to identify those who should be kept in them (1967:79).

This leads to the second major interrelated problem, the problem of selection.

2. Selection - As Olsen stated in 1960, the success or failure of work release programs ultimately depends on careful selection procedures and well defined selection criteria. There can be little doubt that this claim is a valid one. The best interests of society, the overall system of criminal justice administration and the offender are not served by a selection process that fails to provide for a careful screening of the applicants for community programs utilizing criteria derived from empirical studies. Despite the fact that some proponents of community corrections are quite willing to place almost any offender in a community setting, the wisdom of such a policy must remain in doubt. In the absence of empirical information a certain amount of caution is a judicious policy. As indicated in the previous section, we must empirically determine which offenders could benefit the most from community programs while providing society as great a measure of security as is possible. On the other hand, too much caution could lead to the unfair and unwarranted continuing incarceration of offenders perceived as dangerous,

when in fact the vast majority of such offenders do not pose an empirically demonstrated threat to society. In this regard the following studies are highly relevant:

Kozol, Boucher and Garofolo (1972) completed a ten-year study of high risk offenders, i.e. offenders with serious records of sexual and violent crimes, serving indeterminate sentences in a Massachusetts prison. Kozol et al., using sophisticated psychiatric case work techniques and clinical prediction methods, attempted to both treat selected offenders (some were deemed not to be in need of treatment and released on the basis of clinical judgements that they would pose no threat to the community) and predict future dangerousness. Generally, Kozol's team of clinicians was successful in predicting which offenders would constitute a danger to society if released. As Morris (1972) has observed, regarding the Kozol study:

> ...they were remarkably effective predictors, functioning at the forefront of our present clinical predictive capacity. The frequency of assaultive behavior was more than four times greater among those released against their advice than among those released on their advice (p. 71).

Perhaps the major limitation of the Kozol study, however, lies in the fact that only one out of every three offenders adjudged dangerous and suffered to remain incarcerated would have reoffended if released. Two "false positives," therefore, were the victims of injustice since they would not have reoffended if released. There is, then, a very real danger that by accepting Kozol's thesis that dangerousness can be predicted and that offenders perceived as dangerous can be successfully treated while institutionalized, large numbers of offenders will

be kept incarcerated where such a continuation of incarceration may not be warranted. The implication of this for the rights of all citizens in a democracy are indeed grave.

The Kozol study, however, is open to criticism on a number of methodological grounds. As Quinsey et al. (1977) have pointed out, the methodology employed by the Kozol team makes it somewhat difficult to accept the validity of their findings. More specifically, they have stated:

> Studies which have employed clinical judgment as the predictive device (e.g. Kozol et al, 1972 & Kozol, 1975) present lists of criteria which were used in the assessments of dangerousness but no discussion of how these criteria were combined in arriving at a decision. Furthermore, no information is provided regarding the inter-rater reliabilities of the judgments based on these criteria. Although clinical judgment is a difficult process to describe, the failure to provide some objective description precludes the possibility of replication (p. 13).

Wenk, Robison and Smith (1972) attempted to empirically determine whether the future violence of convicted offenders could be accurately predicted. The authors studied 4,146 California Youth Authority Wards in the hope of producing a classification device that would enable correctional decision makers to ascertain the possibility of future violent behavior. The results of the study were, to say the least, disappointing. The authors concluded, after a discussion of their own results and the results of similar research efforts, that:

> The present state of the art holds little promise for the development of a prediction instrument that would warrant implementation in actual preventive or correctional programs (p. 401).

They further concluded that perhaps the best prediction we can presently make regarding the future violence of any convicted

offender is that it will not occur (p. 374).

Finally, Wenk et al, discuss the ethical and moral implications of seeking to protect society through predictions of future violence.

> Confidence in the ability to predict violence serves to legitimate intrusive types of social control. Our demonstration of the futility of such prediction should have consequences as great for the protection of individual liberty as a demonstration of the utility of violence prediction would have for the protection of society (p. 402).

As with the Kozol study, however, methodological problems place the research findings somewhat in doubt. As Quinsey et al. (1977) have observed, "Youth Authority parolees tended to be a homogeneous group" (p. 17). More specifically, the selection procedures employed by the California Youth Authority tended to "select out" both the more serious and less serious offenders so that the samples studied by Wenk and his colleagues "were not optimal for the development of prediction equations" (p. 18).

While there has been a continuing debate in correctional circles regarding the efficacy of methods employed to predict the future behavior of offenders, the totality of evidence does appear to suggest the superiority of statistical over clinical methods. This superiority has been empirically demonstrated by Meehl (1954); Gottfredson (1961); Savides (1961); and Glaser (1962). Despite these findings, however, Glaser (1969) has summarized the value of both methods in the following manner:

> I know of no instance where an established academic criminologist, judge, or correctional administrator has advocated the replacement of case studies and subjective evaluation by statistical tables for sentencing, parole, or other major decisions on the fate of an offender. The many reasons for insisting upon case data may be grouped into three major categories.

> First,...these officials must make moral decisions for the state as a whole in determining what risks justify withholding freedom from a man or granting it to him. For these moral decisions they must try to know each man as a person and know his relationships to other persons who love or fear him. Second, there is always some information on a case too special to be readily taken into account by any conceivable table in estimating the risks involved in a specific official action. Third, besides the prospect of violation, judges and parole boards must consider the type of violation and the consequences of certain types of violation for community treatment of other parolees (pp. 204-5).

Future research in the area of predicting dangerousness, however, must strive to avoid the methodological problems discussed by Quinsey et al. (1977:7-14) if more meaningful results are to be obtained. These problems include: (1) the base rate problem, i.e. the problem of making accurate predictions concerning behaviors of rare occurrence; (2) the failure of many researchers to take situational variables into account; (3) inadequate criterion data; and (4) inadequate predictive data. Furthermore, Quinsey and his colleagues suggest that future research efforts should focus on discovering "how personality and social variables combine in a developmental sequence with situational variables to produce violent behavior" (pp. 47-48). In this regard, attempts should be made to develop "a taxonomy of persons, situations and responses" (p. 49) which would enable a more accurate determination to be made of who, and under what circumstances would be most likely to pose a threat to other members of society.

A related problem that must be addressed at the selection stage is the deterrent effect upon actual and potential offenders. If we accept Greenberg's (1975) argument that there is insufficient evidence on which to conclude that prison does

not deter, then programs that release inmates to the community in the absence of careful selection procedures and well defined selection criteria are somewhat adventurous. While empirical evidence is lacking, it may be logical to assume that such adventurous policies may well have the effect of undermining whatever deterrent value incarceration may have.

A final point to be considered is Grupp's (1963) observation that jail overcrowding should never become a factor in selection for release. To some extent the impressionistic evidence at least suggests that jail overcrowding has become a factor in selection for temporary absence in Alberta. While solutions to the problem of jail overcrowding may be difficult to arrive at, there can be little doubt that the granting of early release on temporary absence is, in itself, not the final answer. The effect of present policies could be to compound the problem by increasing the rate of speed of the "revolving door." Temporary absence would then prove to be a self-defeating measure.

3. Lack of Pre-Release Programs - While it is possible, as Doleschal (1969) has observed, to get "bogged down" in pre-release programs the evidence put forward by Waldo, Chiricos and Dobrin (1973) suggests that inmates selected for participation in work release programs should be taught how to cope more effectively with a potentially hostile community. It makes intuitive sense that a majority of offenders require some modicum of pre-release preparation before re-entering a community in which they were previously unable to function in a socially acceptable manner. Pre-release programs ideally should provide for some degree of

educational, vocational, family and individual counselling. Basic "life skills" could be included and as Waldo et al. suggest, an attempt should be made to inculcate effective coping behaviors. Such programs need not be lengthy to the point of using up valuable time during which the offender could be under supervision in the community. Instead, they must be designed in such a way that the amount of time offenders may serve while under supervision in the community reaches optimum proportions. While all correctional institutions in Alberta provide some measure of counselling, comprehensive pre-release programs do not presently exist. Many offenders are released on temporary absence after only one interview with either a community release officer or an assistant community release officer. These latter officers are often custodial staff lacking the education, aptitude and skills necessary to offer sophisticated advice on educational and vocational subjects.

4. Providing Meangingful Training and Employment - Due to the limitations of many release officers, as mentioned in the preceding section, inmates often do not receive the calibre of pre-release guidance that would be desirable. Instead many inmates are encouraged to "get to work as soon as possible" with little consideration for individual needs. Many employers contact institutions when in need of unskilled workers. Available inmates are then given the "choice" of accepting employment or not. On the positive side, some employers do contact institutions requesting skilled or potentially trainable inmates for long term employment, but such occasions are rare.

Community release officers also have a mandate to solicit potential employers in the community. In this way it is hoped that a much broader spectrum of employers will be recruited who would accept inmates with a variety of skills and aptitudes.[2] Unfortunately, community release officers and their assistants have not succeeded to date in recruiting as broad a spectrum of employers as would be desirable. Some of these officers probably lack the social skills necessary to make them comfortable in the presence of the personnel manager of a large corporation. In all fairness, however, it should be noted that community and assistant community release officers are kept so busy with institutional duties that often little time is available during which to make community contacts.

While greater numbers of inmates are involved in educational programs in the community than ever before, this area has not been developed as completely as it could be. Relatively uneducated release officers are not likely to be proponents of continuing education and most are unaware of all but the most obvious resources available in this regard. Furthermore, release officers lacking education find it difficult to relate to high status resource people in the educational field and are reluctant to initiate contact with them.

The problems involved in matching inmates with appropriate

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[2]At present, aptitude tests are not generally administered in correctional institutions. A few community release officers do, however, make use of Canada Manpower or other agencies in this regard.

educational and vocational opportunities must be resolved if the program is to have any hope of long range effectiveness. As Rudoff et al. (1971) have observed, criminality could actually be perpetuated if correctional staff do not strive to provide more than "work for work's sale." Waller (1974) has empirically demonstrated that employment is one of the most important intervening variables related to the probability of re-arrest. He has suggested the possibility of subsidizing selected employers to hire offenders and of providing sheltered workshops for offenders who may require a more protective environment upon release than many employment situations offer. Mandell (1971) has suggested that correctional agencies attract more professional staff possessing the ability to interact with other social service professionals on an equal basis while striving to win the respect of the citizenry.

The problem, noted by Greenberg (1975) of differential opportunity due to geographic location and the resultant inequality of treatment must also be resolved. Inmates of institutions in outlying areas who could benefit from educational or employment opportunities in urban centres should have equal access to these opportunities. To some extent this has already taken place in Alberta. Inmates from Peace River Correctional Institution, for example, have been transferred to institutions in the Edmonton area, so that they could be granted temporary absence to attend the Adult Development Program offered by the Grant MacEwan Community College. Another example of such movement involves granting temporary absence (in this

case community release) so that inmates can take specialized courses at the Alberta Vocational Centre in Fort McMurray. Still other inmates have been transferred from institutions throughout the province to Edmonton so that they could participate in the alcoholism treatment program at the Henwood Rehabilitation Centre. Despite such examples, an even greater number of overall transfers may be desirable if the problem of differential opportunity resulting from geographic location is to be resolved.

5. Gaining Community Support and Participation - Not only must community programs such as temporary absence win the support of employers and educators, the support of a variety of other civilian groups must be gained as well. O'Leary (1969) has stated that community corrections can only become a reality if the following types of citizens could be persuaded to support and participate in community programs: correctional volunteers, social persuaders, the gatekeepers of opportunities, intimate peers and significant others. Waller (1974) has stressed the need for increased family involvement with offenders both in and out of prison. Also, a greater effort should be made to educate the public to accept ex-offenders and to enlist the aid of citizen volunteers in the correctional process.

As noted in the previous sections, employers and educators have become involved to some extent in the temporary absence program already. This base could, however, be expanded considerably if professional staff made a concerted effort to "sell" the program on a broader scale.

While family and friends participate in the program to the extent that inmates may be allowed to spend weekends and perhaps some evenings during the week with them, little family counselling takes place either at the homes of the inmates or in the institutions. Unless an inmate applies for a temporary absence to the home of a friend, correctional staff are unlikely to have any knowledge of these potentially supportive individuals.

In spite of the recommendations of such reports as the Task Force on Corrections (1973) that citizens be involved both in policy making and providing direct service to offenders, citizen volunteers have to date played no part in the temporary absence program. It would appear that only a very small percentage of the citizenry is even aware of the existence of the program. This circumstance is even more surprising in the light of recommendations that the citizenry be made aware of community programs in order that a greater acceptance of corrections in the community be gained. The Task Force report specifically called for "massive public information campaigns" aimed at gaining community support.

Although the Solicitor General's Department did allow the production and television airing on one occasion to date of an informational film dealing with the temporary absence program in Alberta, nothing has been done in this area by the department itself. It would appear that the department is to some extent taking a "dark of night," as opposed to a "high noon" approach

to publicity (Parker et al. 1974, pp. 11-12). Such an approach may be the least effective in the long run for not only does it fail to tap potential "energy sources" in the community necessary for more complete development of the program, it may set the stage for a citizen backlash if an inmate released to the community under an unfamiliar program commits a particularly offensive crime or if crime rates generally continue to rise. As we have seen from the literature review, at least one major community program, the Community Integration Project in Pennsylvania, was forced out of existence due to citizen rejection. There is also an historical example which may have much relevance for today; a progressive, humanitarian system of increased community contact and early release under supervision developed in 19th century Britain by Sir Walter Crofton met an untimely end due to citizen rejection.

Johnson (1968) summarizes the demise of the so-called "Irish System" in the following manner:

> The reformers strongly advocated the Irish system, but their words were lost in the public clamour over a series of violent robberies in London and a general increase in crime in Great Britain in 1862. The Garotters Act of 1863 imposed flogging for robbery and violence. Ticket-of-leave men were a special target of the newspapers' demand for action. The advocates of longer sentences and more severe prison policies were supported by the Royal Commission on Penal Servitude (p. 494).

While public information campaigns enlisting the support of "social persuaders" and involving the citizenry may not guarantee the continuing existence, in the face of adversity, of community programs such as temporary absence, these kinds of measures may well provide the best insurance against the rejection of an

alternative that for some offenders may hold the greatest promise.

6. The Existence of Subcultures in Community Correctional Institutions and Community Residential Centres - While the development of criminal subcultures in maximum security prisons has been well documented by Sykes (1969) it would appear that subcultures develop even in community correctional settings. Doleschal (1969) has observed that halfway houses often show well developed subcultures not unlike those found in prisons. This is not surprising in light of Waldo et al's. (1973) findings concerning changes in inmate attitudes in the face of a "hostile community." Criminal subcultures and adherence to the values of such subcultures are natural defense mechanisms against a community perceived as rejecting. This problem, related to those previously discussed, must be resolved if halfway houses are to become more effective correctional alternatives to total confinement.

7. Conflicts Within the Overall System of Criminal Justice Administration - The review of the literature demonstrates the existence of a multitude of conflicts. The federal government is clearly opposed to the granting of "back to back" temporary absences since this constitutes parole, a federal responsibility in most provinces, including Alberta.[3] While it is less than

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[3] British Columbia and Ontario have, in recent years, developed provincial parole systems for offenders serving sentences of two years less a day and under. Alberta is reportedly moving in this direction.

clear why federal authorities have not confronted Alberta with the extra-legal nature of temporary absence, this conflict will ultimately be resolved when Alberta moves to create a provincial parole board.

Other conflicts, however, have more potential for harm and are not as easily resolved. The studies of Coffey et al. (1974) and Milner (1971) have documented police resistance to "progressive" correctional change generally and the report of the Canadian Association of Chiefs of Police (1972) makes it clear that the police have serious reservations concerning community programs such as temporary absence. While it is easy for correctional reformers to dismiss the concerns of the police as reactionary and to proceed to ignore them, this may prove to be a vain and reckless course for it denies the reality of the existing situation. Even if police perceptions are limited and overly conservative, they are real perceptions that will have a very real effect on the entire system of criminal justice administration. Lerman (1975:150) provides some evidence which suggests that police opposition to the Probation Subsidy program in California may have been a factor contributing to the increased use of short term detention during the life of the program. The problem is, however, one that demands further empirical investigation if the police hostility towards community correctional programs is to be better understood and the consequences of such hostility more accurately assessed.

The courts, as revealed in the literature review, have fought against what they perceive to be abuses in the system of

parole granting by resorting to stiffer sentences and in Canada, ordering terms of probation to follow completion of jail sentence. As the courts in Alberta become more aware of the existing situation vis a vis temporary absence granting, they may resort to the same kinds of measures in attempts to regain control and to restore the deterrent effect of judicial sentencing.[4]

If the rift between the various criminal justice agencies widens as a result of the temporary absence program, every agency will suffer. Furthermore, the offender will be confused by a justice system that sternly admonishes and incarcerates him on Monday, only to re-evaluate and release him on Friday. If the mission of corrections is to be balanced, as Carlson (1975) suggests it should be, then the goals and objectives of all the agencies in the total system of criminal justice administration must become more truly integrated.

8. Protecting the Rights of Offenders and Dealing with Unintended Consequences of the Program - Greenberg (1975) has noted that as community programs expand, more and more "quasi-judicial decisions" are made by correctional administrators in the course of granting, rejecting, or revoking community programs for offenders. Despite the fact that the civil liberties of serving

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[4]It would appear that the courts do not presently realize the scope of the temporary absence program. The Solicitor General's Department has not, to date, provided the courts with a comprehensive description of the program. Interviews with court officials revealed a widespread belief that the federal system of day paroles is still in effect.

inmates are suspended, both the United States and Canada have Bills of Rights which apply equally to all citizens, regardless of restrictions legally imposed on their freedom. The "quasi-legal" decision making of correctional administrators in parole hearings has caused the question of due process to be re-examined in the United States. "In Morrissey v. Brewer, 408 U.S. 471 (1972) the U.S. Supreme Court held that minimal elements of due process were required in parole revocation hearings" (Greenberg, 1975:17). Greenberg sees a parallel between parole revocation hearings and rejection of applicants for community programs. He is of the opinion that it is just a matter of time before the administrators of community correctional programs everywhere will have to account for the criteria and standards governing acceptance, rejection or revocation. It should be noted, however, that in Canada a decision comparable to that in Morrissey v. Brewer has not been recorded. Thus far Canadian courts, perhaps reflecting a different judicial attitude vis a vis such decisions, have upheld the right of correctional officials to make decisions concerning release on parole unfettered by the kinds of due process safeguards reflected in the Morrissey v. Brewer decision.

In Alberta, at the present time, selection criteria are so ill defined that the granting of temporary absence is often necessarily dependent on the subjective orientation of individual

community release officers.[5] Hence, an inmate granted temporary absence in Peace River could easily be rejected in Lethbridge. While inmates do not have the right to appeal these decisions to correctional authorities - and they may not always be told the true reasons for denial - they may reapply at any time.

Temporary absence can be revoked if inmates violate the conditions imposed upon them as discussed in Chapter III. In such cases the inmate appears before a quasi-judicial three member body, the institutional disciplinary committee. Here, as with the granting of temporary absence, vast differences exist in the decision making process affecting either continuation or revocation of temporary absence and the sanctions imposed on convicted violators.[6] The Solicitor General's Department is presently studying the entire question of institutional disciplinary committees in the hope of arriving at a more judicious operation with clear cut procedures and uniform sanctions for similar offenses.

In order to minimize inmate perceptions of injustice, which

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[5]The only real attempt to spell out criteria is found in Appendix I, i.e. the December 7, 1976 letter where inmates who "'do not present any significant threat to the safety and well being of the community' and who are within four months of their normal release date" are suggested as potential temporary absence candidates. However, this statement can quite obviously be interpreted by release officers in a variety of ways depending on their personal biases, perceptions, and so forth.

[6]Inmates may lose not only their temporary absence permits but also a portion of their earned remission or "good time."

could contribute to even greater feelings of hostility and alienation, inmate rights must be considered at all levels of the temporary absence process and the reasons for all decisions clearly explained. Due process safeguards would contribute to this end.

A related problem involves those inmates who, in a correctional system characterized by an increasing use of community alternatives, must continue to remain incarcerated. Despite the best explanations for the necessity of continuing confinement, these inmates can be expected to become increasingly embittered as they witness the spectacle of large numbers of fellow inmates participating in community programs. Some provision must be made so that meaningful institutional programs are available to such inmates. Whatever measures are taken, however, these inmates may continue to pose a serious problem. As Greenberg (1975) has noted, by keeping only the worst offenders incarcerated prisons could become even more volatile than they presently are.[7] Also, if only the very worst are kept in, many fairly high risk offenders will be participating in community programs. If crime rates increase dramatically and prisons become more

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[7]This is not likely to be as serious a problem in provincial correctional facilities as in federal institutions given the nature of the inmate populations found in provincial institutions, i.e. offenders sentenced to two years less a day and under are rarely seriously violent criminals; for the most part they are young, property and/or drug offenders. Had the courts considered these offenders to be truly serious or posing a significant threat to society they would have sentenced them to either federal penitentiaries or the forensic units of mental hospitals. The vast majority are, therefore, likely candidates for the temporary absence program at one level or another.

unmanageable, both alternatives will appear to be failing. Such possibilities demand that preventative steps be taken.

9. Goals and Objectives - All community based programs, indeed all correctional programs, must have clearly defined goals and objectives and some accurate means of determining whether these goals and objectives are being met. While policy makers at the highest levels of the Solicitor General's Department undoubtedly have certain long range goals and objectives for the temporary absence program, they have failed to spell them out in detail for the benefit of lower echelon staff. Many community release officers perceive their mandate to involve placing as many inmates into the community as quickly as possible. Some, in fact, compete with one another for the highest number of inmates released on temporary absence per month. Individual institutions may take pride in the fact that they grant more temporary absences per month than other institutions, but few institutional officials can offer any kind of adequate explanation for this policy in relation to well defined goals and objectives.[8] Vague statements concerning economy and rehabilitative efficacy are not enough; all correctional staff involved in such a program should be made clearly aware, not only of the stated rationales, but also the long range goals and objectives of the program.

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[8] These statements are based on the author's experience as a community release officer (including a brief stint as Acting Supervisor of Community Release) at the Belmont Community Correctional Centre in 1976. During this time the author also had the opportunity to meet and discuss the temporary absence program with community release staff from the Fort Saskatchewan Correctional Institution as well as some staff from other provincial institutions.

After an acceptable period of time, perhaps one year, correctional officials should be in a position to conduct at least preliminary studies to determine whether the goals and objectives of the program are in fact being met. This leads to the final problem considered here, the problem of providing an empirical base.

10. Research and Program Evaluation - The literature reviewed demonstrates the lack of quality research on temporary absence programs in Canada. The temporary absence program in Alberta is based upon a "strategy of activity" rather than existing empirical evidence. Programs developed from a "strategy of activity" can be made more rational if a "strategy of search" is eventually adopted. Without empirical investigation it is impossible to determine accurately whether programs are succeeding or failing, costing more or less than other alternatives, and which inmates could benefit most from participation.

Despite the existence of a research section in the Solicitor General's Department, little evaluative empirical research has been undertaken in regard to the temporary absence program. Research in this area is not one of the priorities they have set for themselves. This may in part be due to the limited budget allotment for research purposes. Less than a fraction of one percent of the total annual departmental budget is allocated for research purposes. It may be as well, as Nelson (1975) has observed, that policy makers have so much "faith" in their programs that they reject the need of "expensive recidivism and cost benefit studies.

Whatever the case, current departmental research is geared towards monitoring the program rather than evaluating it. On the positive side, however, the department is in the process of setting up a computerized information retrieval system and a more efficient central data repository so that in the future, at least, empirical evaluation could be made easier. Despite this positive step, a commitment to evaluative research has not been made. Only when truly empirical evidence is available can the program be refined more completely. Sophisticated cost benefit and recidivism studies would enable the department to determine whether the goals and objectives of the program are being met, and at what price to all concerned.

CHAPTER V

RECOMMENDATIONS

In the hope that the temporary absence program may become a more effective alternative to continuing the incarceration of offenders until expiry of sentence, the author, on the basis of existing evidence, makes the following recommendations.

First, correctional policy makers must guard against accepting community corrections as the kind of panacea for all correctional ills that its more ardent proponents claim it to be. Some of the limitations of community programs, such as the temporary absence program, are evident from the review of the literature contained in Chapter II. Others will undoubtedly become more clear as further experience with the program is gained. The limits of what can reasonably be expected from such a program can, however, be broadened if policy makers address themselves to the kinds of problems discussed in the previous chapter.

Perhaps the most urgent problem at the present time concerns the need for a commitment on the part of the Solicitor General's Department to undertake empirical research that would enable us to evaluate the effectiveness of the temporary absence program both in terms of reducing recidivism and computing cost benefits. While the Solicitor General's Department has recently created a research section, this section, as was previously noted, is concerned with monitoring rather than empirically evaluating programs. To date a commitment to ongoing evaluative research has not been made.

This is unfortunate since in order to introduce refinements capable of bringing the temporary absence program closer to its full potential, empirical evaluation at the provincial level will ultimately be necessary. It is recommended, therefore, that such a commitment be made. It is also recommended that the Solicitor General's Department seek a closer liaison with Alberta's universities in order to facilitate the development of research programs. The universities in this province have on staff trained researchers who could assist departmental researchers in the completion of evaluative studies.

Research efforts could in part be geared towards the development of typologies of offenders and more accurate parole prediction instruments. Despite the problems and limitations in the development and use of such correctional tools as discussed in the literature review, decision makers could be greatly aided if correctional researchers in Alberta, drawing on the knowledge gained elsewhere and learning from our experience with the temporary absence program, could develop better systems of classification and prediction. Selection criteria that appear to meet the needs of a balanced system of criminal justice administration are urgently required by correctional authorities administering the temporary absence program.[1]

In summary, a major commitment to ongoing empirical evaluation must be made. The research would seek to determine whether the goals and objectives of the program are being met; whether recidivism rates are affected; and whether cost benefit ratios are more favorable than those associated with traditional incarceration. In addition, attempts would be

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[1] Ideally such criteria would provide for a judicious balance of the traditional goals of criminal justice systems, i.e. retribution, deterrence, rehabilitation and the protection of society.

made to develop more accurate typologies and parole prediction instruments to aid those decision makers charged with the responsibility of granting or denying temporary absence. It is imperative that policy makers adopt such a "strategy of search" into the temporary absence program and act upon the results whatever they may be. If we insist upon proceeding without guidance from empirical evaluation, we may ultimately discover that our attempt to provide for a more humane, economical and rehabilitative system has not only failed to rehabilitate but has cost us much more while proving to be less humanitarian than traditional incarceration.

The second major recommendation concerns the course of action to be taken by correctional decision makers who, lacking the results of the proposed research, must continue nonetheless to grapple with the problems of selection and offender eligibility for the program. It is suggested, therefore, that until such time as the necessary research is completed in Alberta, we utilize more fully the available, relevant evidence to guide our policy and decision making in regard to the granting of temporary absence.

We have seen, for example, that departmental policy is geared toward the early release of "all inmates who do not present any significant threat to the safety and well being of the community and who are within four months of their normal release date" (see Appendix I). Since the Annual Reports of the Corrections Branch for the years 1972-1976 reveal that approximately 75% of all inmates admitted to correctional institutions in Alberta are serving sentences of six months or less for relatively minor offenses, it is these short term, non-serious offenders who presently form the vast bulk of inmates granted temporary absence.

This policy is open to criticism on a number of grounds. First, the selection criteria are too general to provide anything but the roughest of guides to release officers charged with the responsibility of recommending inmates for temporary absence. As previously noted, "all inmates who do not present any significant threat to the safety and well being of the community" should be considered as potential candidates for the temporary absence program. It could be argued, however, that while some offenders may not appear to pose any real or imagined threat to society in terms of safety, the release of almost any inmate could be construed as a threat to the "well being of the community." A petty thief for example may not "present any significant threat to society," in terms of physical danger, but his presence in the community may (albeit in a minor way) threaten the well being of society if he reoffends. Whatever the case, policy in this regard remains nebulous and open to subjective interpretation. Different release officers may hold widely divergent views concerning which inmates "do not pose any significant threat to the safety and well being of the community" even if the "dangerousness" of sentenced inmates is accepted as the major criteria for exclusion. It would appear, in fact, that "dangerousness" is the major criteria for exclusion. This is evidenced by the following statement contained in the December 7, 1976 letter to all Directors of institutions (see Appendix I).

> It is not proposed that we act irresponsibly by releasing dangerous offenders before all necessary and desirable safeguards have been set up. However, even these inmates must be released at end of sentence regardless of whether their behavior, attitude et al has undergone any positive modification. We can do a better job with these more serious offenders if we are able to prepare the less troublesome offenders for early release on T.A., since it is this latter group that take the major part of our time and energy, time that could be directed toward the more serious offender.

In other words, "these more serious offenders," i.e. "dangerous offenders" can be given more intensive treatment while institutionalized if "the less troublesome offenders" are granted early release on temporary absence. This argument assumes, however, that it is presently possible to make accurate predictions concerning the future dangerousness of convicted offenders. The empirical evidence, however, fails to support such an assumption. The most sophisticated study in this regard (Wenk et al., 1972) empirically demonstrated that the future dangerousness of convicted offenders could not be accurately predicted. More specifically, Wenk et al. sought to develop "a classification device for estimating assaultive potential with sufficient accuracy to be useful in correctional program decisions" (1972:393). Wenk and his colleagues used case histories, psychological tests and professional prognoses in an attempt to develop an accurate instrument with which to predict the future violent behavior of 4,146 California Youth Authority wards. Despite their efforts they found that they could not accurately predict future dangerousness. They stated:

> Simple classification procedures and multivariate approaches failed to yield an operationally practical prediction instrument that would warrant implementation in actual preventive or correctional practice (1972:393).

Wenk et al. reached the conclusion that "The best prediction available today for even the most refined set of offenders, is that any particular member of that set will not become violent" (1972:394).

In discussing their findings, Wenk et al. suggest that the policy of keeping offenders incarcerated on the basis of perceived dangerousness and "treating" them rather than granting early release on parole raises serious ethical questions that must be addressed. Specifically they state, "Confidence in the ability to predict violence serves to legitimate

intrusive types of social control" (1972:402). This speculative conclusion appears to have been substantiated somewhat by Lerman (1975) who found that in both the California Treatment Project and the Probation Subsidy program social control measures rather than treatment became dominant program elements.

In summary, not only are we unable to accurately predict which offenders will be dangerous, but the policy of keeping such offenders incarcerated, so that more intensive treatment can be administered, appears to be a retrograde and somewhat contradictory policy. This is especially true in an era where faith in the efficacy of institutional treatment programs has been eroded by a number of correctional researchers.[2]

A related criticism of present policy regarding selection involves the instruction that all inmates "who are within four months of their normal release date" be considered as possible candidates for the temporary absence program provided they "do not have a sentence for, or a history of violent offences." (See Appendix I). It would appear that this four month criteria has been imposed somewhat arbitrarily. What, we might ask, is the rationale for this policy? Why not six months, or six weeks for that matter? Consider also the fairness of such a policy, i.e., an inmate sentenced to twelve months may be required to serve two thirds of his sentence before eligibility while an inmate sentenced to six months may only have to serve one third. Inmates who have traditionally been sensitive to such matters will not fail to take note of this discrepancy. Greenberg (1975) has suggested that the

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[2]See, for example, Lipton, Martinson and Wilkes, The Effectiveness of Correctional Treatment, New York: Praeger, 1975.

policy of excluding "high risk" offenders from participation to community programs may have the effect of increasing their hostility and rebelliousness, thereby making them worse inmates and even worse releasees when they have completed their sentences. It is within the realm of possibility that the present four-month policy could have a similar effect.

This policy is even more surprising in light of the available empirical evidence dealing with length of sentence in relation to recidivism. Waller (1974) has empirically demonstrated, for federal penitentiary inmates, that length of time served is unrelated to recidivism. Hammond and Chayen (1963) in a study of "persistent offenders" categorized as serving sentences of either four years and under or sentences in excess of four years, found no significant differences in reconviction rates for the two groups. Furthermore, "it made no difference whether the offenders were given five, six, seven or eight years' preventive detention, or were released after two-thirds or five-sixths of their sentences" (Hood and Sparks, 1970:190). Studies such as those conducted by Johnson (1962), Mueller (1965) and Hovel and Sulka (1962), on the relationship between length of time served before release on parole and recidivism, consistently found that recidivism rates were no different for inmates released "earlier than normal" as opposed to inmates serving out their full sentences. One researcher, Jaman (1965) studied parole outcome in relation to time served by felons being granted parole for the first time. Jaman, despite sophisticated controls, found statistically significant evidence that the men who were kept incarcerated the longest had higher rates of recidivism upon release.

In summary, the available evidence strongly suggests that "Longer

institutional sentences are no more effective in preventing recidivism than shorter ones" (Hood and Sparks 1970:190). Also, keeping men incarcerated for longer than may be necessary produces undesirable effects which can possibly be avoided by early release. As Robison and Smith (1971) stated after studying this problem in California:

> It is difficult to escape the conclusion that the act of incarcerating a person at all will impair whatever potential he has for crime-free future adjustment and that, regardless of which "treatments" are administered while he is in prison, the longer he is kept there the more will he deteriorate and the more likely is it that he will recidivate. In any event, it seems almost certain that releasing men from prison earlier than is now customary in California would not increase recidivism (p. 71).

It should be noted, however, that without exception the studies cited above have dealt with inmates serving relatively long sentences, i.e. sentences of two years and over. Therefore, the above conclusion regarding the relationship between sentence length and recidivism may not apply to inmates serving relatively short sentences.

While in Alberta we have yet to refine selection criteria and develop useful typologies and parole prediction instruments, the available empirical evidence strongly suggests that present policies are not in accord with the current state of knowledge and that if anything a broad spectrum of offenders could benefit from the opportunity to participate in community programs. While there will be some who will argue or suggest, as Greenberg (1975) has done, that crime rates may rise if greater numbers of inmates are allowed to participate in community programs, such arguments are purely speculative; there is no evidence presently in existence to substantiate them. Also, the alternative of keeping inmates locked up for the entire length of their sentence has not proven to be correctionally effective. As Robison and Smith (1971) among others have suggested, a policy of keeping men incarcerated rather than granting early release on parole may do more harm than good.

In light of the available evidence, it is suggested that the temporary absence program has the potential to become a more viable correctional alternative than is presently the case and could be safely expanded to include more of those inmates presently excluded from the program on the basis of perceived dangerousness or whose participation in the program is restricted to the last four months of sentence. Perhaps the question we must address ourselves to is not so much which offenders should have restrictions placed on the length of time they may be allowed to participate in the program or be excluded from participation altogether, but how the greatest number of offenders can derive maximum benefit from temporary absence. We must strive to avoid the policy of releasing only "good" candidates--those less likely to recidivate irrespective of any treatment program--to community programs while forcing the "serious" offender to languish in jails that we know do not promote rehabilitation. This is not to say that the problem of exclusion can or should be ignored completely. Despite the fact that the temporary absence program could be expanded considerably, a proper balance of the traditional goals of criminal justice systems mentioned previously may warrant the continuing incarceration of some offenders. Also, the survival of the program may be better ensured by excluding those inmates, occasionally found in provincial institutions, whose criminal histories are extremely serious.

It is recommended, therefore, that only the following types of offenders be excluded from the program: (1) Those inmates sometimes found in provincial institutions whose past records of violent or sexual crimes previously warranted incarceration in federal penitentiaries. A convicted rapist, for example, who had served a term in a federal penitentiary, but who was presently incarcerated for a short period in a

provincial institution for a relatively minor offence such as being drunk in a public place, should not be considered a candidate for temporary absence. Despite the fact that such an exclusion will appear unfair to some and despite the fact that the offender in question may never re-offend, it is felt that the possible risks to the continuing existence of the program as a result of adverse public reaction in the event of an offence committed while on temporary absence are too great to warrant the inclusion of these kinds of offenders; and (2) inmates sentenced to short periods of incarceration where the primary concern of the court was quite likely punishment and deterrence. Impaired drivers, for example, usually face a short period of incarceration upon conviction for a third offence. Since these offenders are required by the courts to take the provincial impaired driver's course upon release and since alcohol counselling is available in all provincial institutions, granting temporary absence in such cases may serve to undermine the effect of a deserved sentence.

Another example involves the offender whose crime may be relatively minor, but was one committed while the offender was on probation for a previous offence. Judges often sentence such offenders to short, "sharp" periods of incarceration in the hope that the jail sentence will have a deterrent effect. Granting early release on temporary absence to these types of offenders may also undermine the deterrent effect intended by the courts.

With the exception of these types of inmates the temporary absence program could, as was indicated previously, be expanded to include more of those offenders presently excluded from participation as well as those whose participation is restricted by the four-month criteria. Perhaps the most judicious policy to adopt with offenders whose past records indicate

that some degree of caution is warranted would be a gradual testing of their ability to handle increasing increments of "freedom" while on temporary absence. Early in their sentences such inmates would be granted temporary absence in the custody of a correctional officer. After successful completion of a number of these highly supervised temporary absences, the inmate would be granted unescorted evening passes to attend Alcoholics Anonymous meetings if applicable, progressing to one day and eventually full weekend passes. Finally, after successfully demonstrating an ability to complete these short periods of temporary absence, longer absences for the purposes of employment and education would be granted. While such testing does occur to some degree already in all provincial institutions, it is suggested that the practice could be expanded safely, providing as it does a better method of preparing "serious" offenders for their eventual return to the community as free citizens. Also, such gradual testing may be a more reliable measure of readiness for daily temporary absence than the clinical judgements of counsellors and other correctional staff.

In summary, a controlled expansion of the temporary absence program would perhaps contribute to the successful reintegration of more offenders than is presently the case, while contributing to the break-down of the stereotype of the provincial inmate as a dangerously violent offender. Both the public and the courts may come to see the inmates of provincial jails for what the vast majority are, i.e. young, poorly educated, unskilled, property and drug offenders (Harrell and Hartnagel, 1976:34-36) whose "criminal careers" can perhaps be terminated by the opportunity to participate in well planned community programs instead of forcing them to remain incarcerated in overcrowded and understaffed

institutions that have not been remarkably successful in the task of rehabilitation. If the public and courts come to this realization then they may soon come to recognize the futility of incarcerating so many offenders in the first place and begin to divert greater numbers of offenders to community based programs and services.

The third major recommendation involves the development of pre-release programs in all provincial correctional facilities. Such programs would be tailored to the individual needs of the inmates rather than assuming a homogeneous population. More specifically, the type of pre-release program recommended would involve neither "treatment" in the traditional sense nor elaborate educational or vocational programs which are better suited to federal penitentiaries where lengthy sentences allow inmates the time required to complete such programs. The program envisaged for our provincial correctional institutions would consist primarily of individualized counselling aimed at formulating sound post release plans rather than attempting to induce personality change. Inmates would, however, be confronted with any rationalizations they employed to account for their present difficulties. Hopefully, they could then be brought closer to the realization that they alone must assume responsibility for their actions. Counsellors would interview inmates as often as possible and where required, conduct aptitude, intelligence and vocational preference tests to determine abilities, needs and wants. On the basis of accumulated information the counsellor and inmate would collaborate in the drawing up of a comprehensive release plan best suited to the inmate's real life situation. Counsellors would be charged with the responsibility of making inmates aware of all the diverse community resources available to them. In this regard community resource persons, i.e. educators,

employers, manpower representatives and therapists, would be called upon to visit institutions on a regular basis for the purpose of discussing community opportunities with inmates.

Another facet of the program would involve those inmates lacking basic "life skills," but deemed potential candidates for temporary absence, attending lectures and participating in seminars on topics similar to those suggested by Doleschal (1969:pp. 2-3). Topics could include such things as: conditions of temporary absence, how to get a job, how to keep a job, educational opportunities, how to fail on temporary absence, problems faced by inmates on temporary absence, budgeting and borrowing, release anxieties, how to succeed on temporary absence and family responsibilities.

While such a pre-release program is not expected to "work miracles" with inmates, there is no doubt that it would at least more adequately prepare them for temporary absence than is presently the case. The development of such programs is, however, contingent upon a well trained and motivated staff. This leads to the fourth major recommendation which involves the need for a more professional staff.

While a majority of community release officers and counsellors are university graduates, many could benefit from more intensive in-service training than has been available in the past. Such training should seek to broaden the repetoire of knowledge and skills necessary for optimal functioning in the field of modern corrections. Also, counsellors and community release officers should be encouraged to take relevant courses at nearby universities either on a part-time or extension basis.

Assistant counsellors and community release officers are more often than not correctional officers who have been advanced "from the ranks"

despite their lack of academic qualifications. Waller (1974) has suggested that non-university graduates may, in many cases, be more effective counsellors than their university-trained counterparts. He attributes this to the fact that the former's class background is more likely to be similar to that of offenders. As a result of this greater similarity in attitude and outlook, non-graduates relate more effectively to inmates and are able to establish more meaningful helping relationships with them than college-trained middle class staff.

While there may be considerable merit to this thesis as it pertains to personalized counselling, the role of a community release officer or assistant is somewhat more specialized and calls for a repertoire of knowledge and skills normally associated with post secondary education. By way of analogy it might be argued that while a bartender may be a most experienced and empathetic individual, capable of offering good advice to his "clients" concerning personal problems, it is unlikely that he would be able to offer much concrete advice on such subjects as government training programs, funding for continuing education, eligibility requirements for university courses and so forth.

The policy of advancing correctional officers to more responsible positions in provincial correctional institutions was intended to improve the relationship between custodial and professional staff. While this desirable situation may have occurred to some degree, other problems have arisen. Correctional officers in many cases simply do not have the education, aptitude, or attitudes necessary to do what can be best described as social work. This problem could possibly be overcome to some extent if assistant counsellors and community release officers worked directly under more qualified personnel on a one to one basis, but

such is not the case. In fact, calling correctional officers "assistants" is a misnomer for in a majority of cases they do exactly the same job as counsellors and community release officers.

It is suggested that if the policy of advancing correctional officers to these kinds of positions is to be maintained, then they truly should be employed as assistants and not as full fledged counsellors or community release officers, at least until such time as they have acquired and demonstrated a high level of proficiency in handling casework and have supplemented their education by the completion of relevant courses at universities or community colleges. In this latter regard correctional officers should be given every encouragement and the Solicitor General's Department should in full or part subsidize their continuing education. Ideally, all correctional officers advanced to positions in the "professional" realm in the future would be graduates of correctional programs similar to the one presently offered at the Grant MacEwan Community College in Edmonton.

As indicated previously only a well trained and motivated staff can offer the quality of service demanded by a community correctional program such as temporary absence.

A related recommendation is that the goals and objectives of the temporary absence program be made clearer to all concerned staff. An effective correctional staff does not merely follow orders, it knows not only what it is trying to accomplish, but also why. Increased in-service training, correctional seminars on a monthly basis in each institution, and an annual conference similar to the annual probation officers conference would all contribute to a greater awareness of the goals and objectives of the temporary absence program.

The fifth major recommendation involves the gaining of community

support and actively involving a broader spectrum of the citizenry in the temporary absence program. The first requirement in this regard is the development of a comprehensive public information system. It is within the realm of possibility that the media would agree to publicize, at minimal cost, the experiences of program participants and ex-participants who had benefitted from participation in the temporary absence program. Employers, educators and other resource persons having contact with inmates exposed to the program would be included in this publicity as well. Material would be thoroughly and honestly presented making no attempt to hide the fact that even with the best screening and selection procedures, some men will continue to offend.

If the media can be convinced - and there is no reason to believe that they cannot - to publicize the temporary absence program for a period of perhaps one year, a well informed and more supportive citizenry may well be the result. Without such support the term "community corrections" must remain a hollow phrase.

How might the Solicitor General's Department more actively involve the citizenry in the temporary absence program? The following recommendations are made in this regard. Since the community is being asked to accept more convicted offenders in its midst than ever before, should members of the community not have some input into the decision making process? It is recommended that institutional review committees be composed not only of correctional staff, but citizen volunteers as well. Given the fact that institutional review committees meet twice a week at regularly scheduled hours, it would not be difficult to have on call a variety of informed, intelligent members of the community willing to spend a few hours of their time each year performing a service in the best

interests of the public. Such volunteers would be thoroughly briefed on temporary absence policies and regulations before taking part in any decision making. They would provide a needed balance in a system where all too often institutional pressures may influence actual release policy.

A related recommendation involves the creation of a citizen appeal board to which rejected temporary absence applicants can turn when they feel they have been the victims of injustice or discrimination. At present the only course of action open to such inmates involves appealing their cases to the provincial ombudsman. While the ombudsman will continue to be a last resort for some rejected inmates, a citizen appeal board would be the best insurance that the rights of offenders are protected, while involving the citizenry to a greater extent in the program. Such an appeal board is not without precedence in Alberta. Rejected welfare applicants, who perceive themselves to have been the victims of discrimination or injustice at the hands of social workers employed by the department of Social Services and Community Health, have the right of appeal to citizen boards established under the auspices of that department. A temporary absence appeal board consisting of community representatives informed of governmental policy and meeting on a regular basis would serve to enhance the program to the benefit of all concerned.

Citizen volunteers could also be encouraged to become acquainted with and perhaps open their homes to those potential candidates for temporary absence who lack family and friends in Alberta. At present these inmates often spend weekends in community residential centres or halfway houses. Those that qualify for community release take up full time residence in these centres. Given the problem of criminal subcultures developing in halfway houses which, despite the best efforts of staff,

retain an institutional atmosphere, private homes might prove to be a viable alternative if sufficient citizen volunteers were to come forward. The winning of community support generally and the providing of meaningful opportunities for residents of halfway houses may be the most effective means of combatting the development of subcultures in those halfway houses that will continue to provide services for offenders for whom private homes cannot be found. The informational program discussed previously would be instrumental in this regard, especially if citizen volunteers who had befriended inmates, taken them into their homes and found the experience rewarding were interviewed by the media. Since such developments have already taken place in the realm of juvenile corrections, it does not stretch the imagination all that much to visualize a parallel development taking place in adult community corrections. If offenders can be shown that the community is not as hostile and threatening as they perceived it to be and if the public can be shown that many offenders are relatively harmless human beings who respond to kindness and efforts to help them, then perhaps community correctional programs such as temporary absence can begin to live up to their potential.

The other group of citizens who must become more involved in the temporary absence program, if it is to become more successful, are the family and friends of those inmates whose homes are in close proximity to their places of incarceration.[3] Counsellors and community release officers should involve such persons in the pre-release program recommended previously. Realistic long range planning can be made more meaningful if wives, husbands and other potentially supportive individuals take

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[3]Inmates do not encounter a great deal of difficulty in securing transfers to institutions closest to their homes.

part in the formulation of such plans.

A sixth major recommendation is that the Solicitor General's Department make every attempt to resolve potential conflicts with other criminal justice agencies, by administering the temporary absence program as an integral part of a balanced system of criminal justice administration. The development of more refined selection criteria, the provision for pre-release programs and the exclusion of the aforementioned types of offenders would hopefully work to placate both police and judiciary. Nothing is more frustrating to the police than the spectacle of a criminal only recently brought to justice, sentenced to incarceration and free on temporary absence. Similarly, nothing is more frustrating to the courts than the discovery that sentences levied with deterrence in mind have been drastically undercut by correctional officials. Both police and courts must be made more aware of the goals and objectives of the temporary absence program and the extent to which the program has been developed. It is worthy of note that when the federal system of day parole was operational in Alberta it was common to see sentences with recommendations for day parole included. Since the advent of the temporary absence program almost one year ago, judges have not yet begun to recommend that a portion of sentence be served while on temporary absence.[4] In all likelihood a majority of provincial judges, believing the federal system of day paroles still to be in effect, are unaware of the temporary absence program's existence. Information campaigns, then, must not only be aimed at the public; special information programs must be developed for police

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[4]This observation is based both on the author's experience as a community release officer and subsequent discussions with associates who continue to work with inmates in correctional institutions.

and courts as well. When open conflict erupts, as it has between judges and parole boards and police and parole boards, the Solicitor General's Department should consult with the appropriate agency to avoid any potentially disruptive escalation.

The seventh major recommendation involves the development of institutional work and treatment programs designed to complement the temporary absence program.[5] Such programs would perhaps be most appropriate for those inmates undergoing gradual testing for daily release.

While drug and alcohol programs currently exist in all provincial correctional institutions, these programs often fail to utilize community resources as fully as would be desirable.[6] To enhance such programs, which as Morris (1974) has suggested should be offered on the basis of voluntary participation, it is suggested that each institutional program director actively solicit a broad measure of community participation. Police officers, medical and pharmaceutical personnel, ex-addicts and alcoholics, lawyers and other resource persons should be invited to participate in treatment programs. To date Alcoholics Anonymous has been the only such community resource widely used. The other types of aforementioned

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[5] Quite obviously the logistics of gradual release and the inflow of newly sentenced inmates will determine the size of inmate populations in the future. We must not suffer under the delusion, however, that diversion programs and an expanded use of temporary absence will substantially reduce inmate populations overnight. Institutional programs, therefore, will continue to be both necessary and desirable for some time to come. While the author concedes that the area of institutional programming is correctly the subject for a separate thesis, it is felt that some brief comment should be included here since the kinds of programs now required in correctional institutions should be geared towards a more meaningful temporary absence and released experience.

[6] The author developed a drug information program at the Belmont Rehabilitation Centre during 1974-75 and in this regard was in contact with all the other institutions in Alberta. A high level of community involvement in such programs was not found to be the rule.

persons could help to end the "treatment in isolation" syndrome by providing inmates another link with the free community.

On the subject of institutional work programs it is suggested that the Solicitor General's Department could approach other provincial government departments in this regard. More specifically, many government departments such as Transport, Forestry, Water Resources, Public Works and so forth could quite conceivably offer employment opportunities to offenders both in and out of jail. The Department of Transport, for example, maintains vehicle and equipment repair shops in towns and cities throughout the province. Much of the work involved in this area can be done by relatively unskilled workers. As the province continues to grow, existing shops will have to be expanded and new ones built. Some small satellite shops could be built on the grounds of existing correctional institutions. Inmate workers could perform a good deal of the necessary work without a great deal of training. When these inmates become eligible for daily temporary absence they would be transferred to employment in the main shops located in the adjacent community where a certain percentage of jobs would be held open for them.

While this proposal obviously requires a complete feasibility study, followed by considerable public relations work if the feasibility study yields positive results, it may well have a good deal of merit since it would be unlikely to offend private industry, while providing meaningful work leading to guaranteed employment for serving inmates. It is suggested that the Solicitor General's Department study these proposals in relation to the expanded use of temporary absence.

A final recommendation concerns the quality of supervision inmates receive while in the community on temporary absence. At present supervising officers receive a copy of the written rationale recommending

temporary absence and a copy of the temporary absence certificate specifying the conditions imposed on the releasee. In the future it is recommended that these officers also receive copies of the comprehensive release plan drawn up between institutional staff and inmates during the course of the proposed pre-release program. This additional information would enable supervising officers to appreciate the needs of releasees more fully and help them overcome the kinds of problems, discussed by Waller (1974) which are most often associated with recidivism, i.e. employment, drinking, fighting, undesirable associates and family situation.

If supervising officers are to be more successful in helping releasees overcome these kinds of problems they must possess certain qualities themselves. For Irwin, parole officers with the greatest chance of achieving some degree of success with their clients are those who provide "non-intense," "tolerant" supervision while being perceived as "all right" by their clients. In other words, the potentially successful parole officer is a man of his word who combines fairness with a level of discipline acceptable to the parolee. In choosing supervising officers, therefore, the Alberta Solicitor General's Department would be well advised to seek individuals appearing to possess such qualities. Furthermore, Irwin (1970) has suggested that parole systems traditionally have been hampered by a built in flaw which contributes to the failure of many parolees. Irwin summarizes this flaw in the following manner:

> In effect, the parole social system has brought into close contact, in an agent-client relationship, two people who represent different social worlds - one, the parole agency, which is unduly influenced at the formal level by conservative segments of society; and the other, a deviant sub-society (1970:157).

If this flaw is to be avoided then it follows that individuals hired as supervising officers either in parole or temporary absence situations should perhaps not only possess the qualities discussed previously, but should also be persons whose backgrounds closely approximate those of the vast majority of offenders sentenced to incarceration.

A likely resource base in this regard would be those ex-offenders who have demonstrated successful reintegration upon release. Thus selected ex-offenders could be hired in para-professional capacities to assist in supervising inmates released on temporary absence. While such a suggestion may appear somewhat unorthodox, it would appear to be in keeping with the philosophy exposed by Mr. D.H. Lawrence in his December 7, 1976 letter to all directors of institutions (see Appendix I), i.e. "The fear of failure should not inhibit as unduly, but rather stimulate us to analyze the 'failures' and to come up with programs to minimize those elements which contribute to such failures."

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Alberta

SOLICITOR GENERAL

FROM D.H. Lawrence
Director of Institutional Services

OUR FILE REFERENCE

YOUR FILE REFERENCE

TO All Directors of Institutions

DATE December 7, 1976

TELEPHONE

SUBJECT COMMUNITY RELEASES

In an attempt to maximize community resources and the services of our Community Services Branch, please initiate a review of all inmates who "do not present any significant threat to the safety and well being of the community" and who are within four months of their normal release date. This review should include men currently placed at the various forestry camp locations.

Those inmates who do not have a sentence for, or a history of, violent offences and fall within this four month criteria should be referred to the local Community Services staff as potential candidates for the pre-release T.A. program.

This process must commence immediately and not be considered as a "one shot" deal but as an ongoing process. Any inmate falling within this four month to end of sentence category who is retained in the institution must have a written rationale contained in their file giving specific reasons as to why they are retained.

I cannot stress strongly enough that the department is committed to the concept and program of Community Corrections, and for anyone to resist the reality of this fact of life is a regretable and unacceptable dissipation of valuable energy. For example, "Midway" at C.C.I. and E.C.C.C. (Belmont) should, ideally, only be accommodating inmates who are awaiting a bed vacancy in a community resource - this is the sort of goal to which we must direct our energies.

It is not proposed that we act irresponsibly by releasing dangerous offenders before all necessary and desirable safeguards have been set up. However, even these inmates must be released at end of sentence regardless of whether their behavior, attitude et al has undergone any positive modification. We can do a better job with these more serious offenders if we are able to prepare the less troublesome offenders for early release on T.A., since it is this latter group that take the major part of our time and energy, time that could be directed toward the more serious offender.

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There will, of course, be those people who fail to conform to the restrictions and supervision imposed by the community release program. This is a given in all jurisdictions, consequently we will have to develop techniques to deal with these people when they are returned to the institution. The fear of failure should not inhibit us unduly, but rather stimulate us to analyze the "failures" and to come up with programs to minimize those elements which contribute to such failures.

I rely upon each Director to exercise his leadership in interpreting and orienting his staff toward the concept and practice of Community Corrections and to ensure that the referal of those inmates specified in this memorandum takes place immediately.

D.H. Lawrence

DHL:jh
c.c. J.W. Johnson
J.D. MacDonald
J. Anderson
R. Bricker